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STATE OF NORTH DAKOTA

JOURNAL OF THE HOUSE

OF THE

TENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

*Begun and held at the Capitol at Bismarck
January 8 to March 8, 1907,
Inclusive*

BISMARCK, N. D.
TRIBUNE, PRINTERS AND BINDERS
1907

OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
FOR THE
TENTH LEGISLATIVE ASSEMBLY

1907

HOUSE

SPEAKER.....	TREADWELL TWICHELL
CHIEF CLERK.....	P. D. NORTON
ASSISTANT CHIEF CLERKS.....	W. D. AUSTIN, OTTO SOUGSTAD
CHIEF ENGROSSING AND ENROLLING CLERK.....	M. O. GULLICKSON
BILL CLERK.....	O. J. QUAMME
SERGEANT AT ARMS.....	O. K. HOVET
DOORKEEPERS.....	F. A. McDONALD, DAVID MADDOCK
MESSANGER.....	R. J. PERCY
POSTMASTER.....	HANS FOSSER
CHAPLAIN.....	REV. F. W. STANTON
HOUSE STENOGRAPHER.....	MABEL THORBURN
MEMBERS' STENOGRAPHER.....	LAURA CONNOR
BILL ROOM CLERKS.....	C. L. JONES, THOMAS RADCLIFFE
CLERK JUDICIARY COMMITTEE.....	ED. K. MASON
JOURNAL CLERK.....	T. G. ANDERSON
ASSISTANT JOURNAL CLERK.....	WM. HENNESSY
JANITORS.....	J. L. SMITH, GEO. FISHER
PAGES.....	HAROLD SEMLING, HARRY BEARDSLEY, JOEL STEBBINS, ARNOLD MICHELSON, FRED JAMES LESTER BUDLONG

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MEMBERS

Dist.	Name	Postoffice Address	Occupation	Where Born	Came to State	Married or Single	Age
20	Aaker, O. S.....	Minnewaukan.	Mercantile	Norway ...	1892	Married.	38
22	Adams, Samuel	Perth.....	Real estate	Minnesota.	1887	Married.	38
6	Anderson, J. M.....	Grand Forks..	Lawyer ...	Minnesota.	1896	Single ...	30
21	Anderson, Bernt....	Churchs Ferry	Farmer....	Norway ...	1883	Married.	46
21	Anderson, O. P. N....	Starkweather.	Mercantile	Minnesota.	1890	Married.	35
25	Andrus, C. B.....	Oakes	Farmer....	New York	1886	Married.	38
13	Blake, E. D.....	De Lamere	Merchant.	Canada	1881	Married.	38
20	Blegen, H. O.....	Churchs Ferry	Farmer....	Norway ...	1886	Married.	54
31	Brodie, James.....	Dickinson.....	Coal Mine.	New York	.....	Married.	36
4	Brotnov, K. O.....	Grafton.....	Farmer....	Norway ...	1879	Married.	42
18	Burdick, U. L.....	Munich	Banking...	Minnesota.	1882	Single ...	28
11	Burgum, T. O.....	Page	Farmer....	England....	1882	Married.	45
14	Buttz, Chas. W.....	Buttzville	Farmer....	Pennsvlya.	1880	Widower	68
29	Carter, Fred F.....	Flaxton	Farmer....	Wisconsin.	1898	Married.	57
4	Casey, Tobias D. ...	Grafton	Lawyer ...	Wisconsin.	1890	Married.	40
29	Chapman, Frank B.	Williston.....	Banking...	Ohio.....	1881	Married.	49
5	Church, Edward.....	Inkster	Farmer....	Canada	1881	.....	49
12	Collins, James F....	Page	Farmer....	Minnesota.	1888	Married.	42
11	Connolly, Henry T....	Wahpeton.....	Hardware.	Wisconsin.	1879	Married.	49
18	Crawford, Joseph....	Langdon	Farmer....	Canada	1887	.....	52
24	Cunningham, Alex W.	Grand Rapids.	Farmer....	New York	1881	Married.	54
7	Dean, W. S.....	Union	Farmer....	Connectic't	1881	Married.	54
9	Dibley, F. E.....	Fargo	Mercantile	Wisconsin.	1898	Married.	47
20	Duncan, James.....	Josephine	Farmer....	England....	1881	Married.	51
36	Elhard, George.....	Gackle	Mercantile	Russia	1894	Married.	31
31	Evans, Thos.....	Dickinson	Live Stock	Wisconsin.	1882	Married.	48
9	Flamer, T. J.....	Fargo	Hotel.....	Norway ...	1880	.....	53
28	Freeman, Will.....	Maxbass	Mercantile	New York	1877	Married.	46
2	Gannsls, Christian...	St. Thomas... .	Farmer....	Germany..	1882	Married.	39
28	Garden, E. L.....	Souris	Mercantile	Iowa	1899	Married.	32
22	Gibbens, Albert S....	Cando	Farmer....	Illinois ...	1882	Married.	48
36	Giedt, John J.....	Ashley	Farmer....	Russia	1887	Married.	37
19	Graham, A. O.....	Rolla	Farmer....	Canada	1886	Married.	49
37	Grant, Ole T.....	Kindred.....	Farmer....	Norway ...	1876	Married.	43
40	Griffith, Robt.....	Osnabrock	Farmer....	Canada	1882	Married.	54
32	Halaas, E. T.....	Carrington	Farmer....	Norway ...	1883	Married.	44
6	Hallick, George.....	Manvel.....	Farmer....	Norway ...	1877	Married.	56
4	Hanawalt, John E....	Grafton	Farmer....	Ohio.....	1880	Married.	35
37	Hankinson, R. H....	Hankinson	Farmer....	Michigan..	1881	Married.	66
37	Hanson, Alex D.....	Wynndmere....	Farmer....	Iowa	1888	Married.	41
7	Haugen, Arne P.....	Reynolds.....	Farmer....	Norway ...	1879	Married.	62
16	Hemmingsen, Nels..	Hannaaford	Farmer....	Denmark..	1882	Widower	61
3	Hosford, H. G.....	Park River....	Farmer....	New York	1882	Married.	62
33	Jensen, O. L.....	Harvey	Ag. Impl't	Norway ...	1893	Single ...	56
2	Johnson, John.....	Gardar	Farmer....	Iceland....	1880	Married.	45
13	Johnson, Levi.....	Cogswell	Stock Rais.	Indiana ...	1889	Married.	40
29	Johnson, C. A.....	Minot	Lawyer ...	Wisconsin.	1889	Married.	38
38	Jones, David R.....	Sarnborn.....	Farmer....	Wisconsin.	1888	Married.	57
14	Jones, Albert E.....	Lisbon	Real estate	Wisconsin.	1890	Married.	42
15	Law, Geo. H.....	Leal.....	Farmer....	Canada	1886	Married.	45
31	Martin, A. L.....	Sentinel Butte	Stock Rais.	Wisconsin.	.....	Married.	37
30	Martin, W. E.....	Mandan	Stock Rais.	Illinois ...	1881	Married.	57
31	Mathews, H. E.....	Wiprud	Stock Rais.	New York	1902	Married.	46
40	McDowall, James....	Langdon	Farmer....	Scotland .	1882	Married.	65
3	Midgarden, Gundar.	Grafton	Farmer....	Norway ...	1879	Widower	57
21	Miller, Miles A.....	Crary	Farm Imp.	Minnesota.	1897	Married.	34
27	Mockler, T. R.....	Bismarck	Lawyer ...	Iowa	1903	Married.	45
23	Monck, A. A.....	Jamestown....	Farmer....	Germany..	1879	.....	41
10	Moore, Clark.....	Gardner.....	Farmer....	New Jer'sy	1886	Married.	55
1	Morin, Joseph.....	Neche	Farmer....	Canada	1878	Married.	59
23	Murphy, H. J.....	Courtenay.....	Real estate	Colorado ..	1900	Married.	31
39	Nelson, O. G.....	Hatton	Farmer....	Wisconsin.	1881	Married.	49
16	Nelson, S. H.....	Finley	Farmer....	Wisconsin.	1880	Married.	53
8	Oveson, John.....	Buxton.....	Farmer....	Norway ...	1882	Married.	48

MEMBERS—Continued.

Dist.	Name	Postoffice Address	Occupation	Where Born	Came to State	Married or Single	Age
12	Parkhill, Lafayette ..	Fairmount	Farmer....	Wisconsin.	1882	Married.	
15	Peake, A. P.	Valley City ...	Real estate	Minnesota.	1881	Married.	42
11	Piper, Richard G ...	Leonard.	Farmer....	Germany..	1881	Married.	46
10	Plath, A. A.	Davenport....	Farmer....	Wisconsin.	1878	Married.	45
5	Pugh, T. H.	Larimore.....	Lawyer....	Canada	1897	Married.	40
12	Purdon, Wm. R.	Wahpeton.....	Merchant..	Canada	1880	Married.	38
32	Putnam, S. N.	New Rockford	Abstractor	Minnesota.	1883	Married.	43
2	Restemayer, E. H. ..	Cavalier.	Farmer....	Canada	1882	Married.	46
30	Rohs, Jacob.....	New Salem...	Mercantile	Illinois.....	1900	Married.	51
25	Rose, George.....	Ellendale.....	Farmer....	Illinois.....	1882	Widower	37
35	Schlenker, John....	Goodrich	Farmer....	Russia.....	1902	Married.	45
33	Shannafelt, Wm. F..	Fessenden	Farmer....	Michigan..	1885	Married.	61
17	Shirley, M. A.	Aneta	Lawyer....	Penn	1882	Married.	54
23	Sinclair, Will.....	Windsor	Farmer....	Scotland...	1883	.....	48
30	Simpson, William...	Mandan	Banker	Canada. . .	1881	Married.	36
7	Sorley, J. A.	Grand Forks..	Lawyer....	Iowa.....	1889	Married.	54
8	Sorlie, Oscar J.	Buxton	Farmer....	Minnesota.	1886	.....	47
16	Stavens, G. H.	Hatton	Farmer....	Norway ...	1876	Married.	42
34	Steen, John.....	Knox	Farmer....	Norway	1898	Single...	51
27	Stevens, R. N.	Bismarck	Lawyer....	New York..	1882	Married.	33
26	Storey, John	Steele	Farmer....	Ireland	1883	Married.	51
26	Streeter, D. R.	Linton	Newspaper	Illinois.....	1881	Married.	49
17	Swenseid, A. R.	Petersburg	Farmer....	Norway....	1883	Married.	50
19	Syvertson, Ole	Overly	Farmer....	Norway....	1886	Married.	44
38	Thoreson, Martin ...	Fingal	Farmer....	Norway....	1883	Married.	51
34	Tofsrud, O. T.	Rugby	Mercantile	Norway....	1882	Married.	43
9	Treat, John F.	Fargo	Insurance .	Ohio	1882	Married.	47
5	Tufte, T. E.	Northwood....	Farmer....	Norway ...	1879	Married.	49
10	Twitchell, TreadwellT	Mapleton.....	Farmer....	Minnesota.	1879	Married.	42
24	Ueland, L. A.	Edgeley	Farmer....	Wisconsin.	1887	Married.	52
33	Wake, John F.	Bowden	Merchant..	Canada	1891	Married.	46
3	Walker, Andrew....	Dundee	Farmer....	Norway	1879	Married.	59
1	Watts, W. J.	St Joseph.....	Farmer....	England...	1879	Married.	58
34	Wedge, R. C.	Granville.....	Banker	Minnesota.	1903	Married.	32
1	Welford, Walter....	Neche	Farmer....	England...	1879	Married.	38
39	White, Geo. A.	Portland	Lawyer....	Michigan..	1879	Married.	50

Journal of the House

TENTH SESSION

FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 8, 1907.

At the hour of 12 o'clock meridian the 8th day of January, 1907, being the day and hour designated by law for the convening of the legislative assembly of the state of North Dakota the members elect of the house of representatives of the tenth session of the legislative assembly assembled in the house chamber in the capitol at Bismarck and were called to order by Otto Sougstad, chief clerk of the house of representatives of the ninth legislative assembly of the state of North Dakota.

The session opened with prayer by Rev. F. W. Stanton of Bismarck.

The roll being called the following members responded to their names:

First District—Wm. J. Watts, Joseph Morin, W. Welford.

Second District—C. Ganssle, E. H. Restemayer, John Johnson.

Third District—G. N. Midgarden, H. G. Hosford, A. H. Walker.

Fourth District—John E. Hanawalt, K. O. Brotnov, Tobias D. Casey.

Fifth District—Edward Church, T. H. Pugh, T. E. Tufte.

Sixth District—Geo. Hallick, J. M. Anderson, John A. Sorley.

Eighth District—O. J. Sorlie, John Oveson.

Ninth District—F. E. Dibley, J. F. Treat, T. J. Flamer.

Tenth District—T. Twichell, A. A. Plath, Clark Moore.

Eleventh District—T. O. Burgum, R. G. Piper, J. R. Collins.

Twelfth District—W. R. Purdon, L. Parkhill, Henry Connolly.

Thirteenth District—Livy Johnson, D. E. Blake.

Fourteenth District—C. W. Buttz, A. E. Jones.

Fifteenth District—Amasa P. Peake, Geo. H. Law.

Sixteenth District—G. H. Stavens, S. H. Nelson, Nils Hemmingsen.

Seventeenth District—M. A. Shirley, A. R. Swendseid.

Eighteenth District—U. L. Burdick, Joseph Crawford.

Nineteenth District—A. O. Graham, Ole Syvertson.

Twentieth District—O. S. Aaker, H. O. Blegen, James Duncan.

Twenty-first District—O. P. N. Anderson, Bernt Anderson, Miles A. Miller.

Twenty-second District—Samuel Adams, A. S. Gibbens.

Twenty-third District—A. A. Monek, Will Sinclair, H. J. Murphy.

Twenty-fourth District—A. W. Cunningham, L. A. Ueland.

Twenty-fifth District—Geo. Rose, C. B. Andrus.

Twenty-sixth District—D. R. Streeter, John Storey.

Twenty-seventh District—R. N. Stevens, T. R. Mockler.

Twenty-eighth District—E. L. Garden, Will Freeman.

Twenty-ninth District—C. A. Johnson, F. B. Chapman, Fred F. Carter.

Thirtieth District—W. E. Martin, Jacob Rohs, Wm. Simpson.

Thirty-first District—Thos. Evans, A. L. Martin.

Thirty-second District—S. N. Putnam, E. T. Halaas.

Thirty-third District—O. L. Jensen, W. F. Shannafelt, J. F. Wake.

Thirty-fourth District—John Steen, O. T. Tofsrud.

Thirty-fifth District—H. E. Mathews.

Thirty-sixth District—Geo. Elhard, John J. Giedt.

Thirty-seventh District—R. H. Hankinson, A. D. Hanson, O. T. Grant.

Thirty-eighth District—D. R. Jones, Martin Thoreson.

Thirty-ninth District—G. A. White, O. G. Nelson.

Fortieth District—Robt. Griffith, James McDonald.

The following members did not answer to their names:

J. F. Brodie, R. C. Wedge and John Schlenker.

The oath of office was then administered to the members elect by the Hon. D. E. Morgan, Chief Justice of the Supreme court.

The house then proceeded to its organization.

Mr. Moore nominated Treadwell Twichell of Cass county for speaker.

The following named members seconded the nomination of Mr. Twichell: Mr. Sorley of Grand Forks county, Mr. Burgum of Cass county, Mr. Casey of Walsh county, Mr. Pugh of Grand Forks county, Mr. Garden of Bottineau county and Peake of Barnes county.

Mr. Chapman nominated C. A. Johnson of Ward county for speaker.

The following named members seconded the nomination of Mr. Johnson: Messrs. Streeter of Emmons county, Mr. Freeman of Bottineau county, Mr. Buttz of Ransom county, and Mr. Martin of Billings county.

The roll being called there were 96 votes cast of which Mr. Twichell received 72 and Mr. Johnson 24.

Those who voted for Mr. Twichell were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rose of Dickey
Blegen	Hosford	Shannafelt
Brotnov	Jensen	Sorley of Grand Forks
Burdick	Johnson of Pembina	Sorlie of Traill
Burgum	Johnson of Sargent	Shirley
Casey	Jones of Barnes	Stavens
Church	Jones of Ransom	Steen
Collins	Law	Storey
Connolly	Martin of Morton	Swendseid
Cunningham	Midgarden	Syverson
Dean	Miller	Thoreson
Duncan	Moore	Tofsrud
Evans	Morin	Tufte
Ganssle	Nelson of Steele	Ueland
Garden	Nelson of Traill	Wake
Gibbens	Oveson	Walker

Messrs.—

Graham
Grant
Griffith

Messrs.—

Parkhill
Peake
Piper

Messrs.—

Watts
Welford
White

Those voting for Mr. Johnson were:

Messrs.—

Adams
Giedt
Buttz
Carter
Chapman
Crawford
Dibley
Elhard

Messrs.—

Flamer
Freeman
Hankinson
Martin of Billings
Mathews
McDowall
Mockler
Murphy

Messrs.—

Monek
Rohs of Morton
Simpson
Sinclair
Stevens
Streeter
Treat
Twichell

Absent and not voting:

Messrs.—

Brodie
Johnson of Ward

Messrs.—

Schlenker

Messrs.—

Wedge

Mr. Twichell having received a majority of the votes cast was declared duly elected speaker.

Messrs Tufte, Treat and Duncan were appointed to escort Mr. Twichell to the chair.

The oath of office was administered to the speaker by the Hon. D. E. Morgan, chief justice of the supreme court.

O. P. Anderson of Ramsey nominated P. D. Norton of Ramsey as chief clerk.

The roll being called, there were 95 votes cast of which Mr. Norton received 95 and was declared duly elected chief clerk of the house.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Svvertson
Thoreson

Messrs.—	Messrs.—	Messrs.—
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Moore	Tufte
Evans	Morin	Ueland
Flamer	Monek	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Watts
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Murphy	Wedge
McDowall	Schlenker	

The oath of office was administered to the chief clerk by the Hon. D. E. Morgan, Chief Justice of the Supreme Court.

Mr. Burgum nominated W. D. Austin of Cass county for assistant chief clerk.

The roll being called there were 61 votes cast, of which Mr. Austin received 61 and was declared duly elected assistant chief clerk.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Flamer	Plath
Anderson, Bernt	Freeman	Purdon
Anderson, O. P. N.	Ganssle	Putnam
Blake	Garden	Rohs of Morton
Blegen	Gibbens	Shannafelt
Brotnov	Hankinson	Simpson
Burdick	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Shirley
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Martin of Morton	Stevens
Church	Mathews	Streeter
Collins	Midgarden	Swendseid
Connolly	Miller	Syverson
Crawford	Nelson of Steele	Tofsrud
Cunningham	Nelson of Traill	Tufte
Dean	Oveson	Ueland
Dibley	Parkhill	White
Duncan	Piper	Mr. Speaker
Evans		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Haugen	Pugh
Adams	Hemmingsen	Restemayer
Andrus	Hosford	Rose of Dickey
Brodie	Jensen	Schlenker
Elhard	Law	Sinclair
Giedt	Martin of Billings	Storey

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson

Messrs.—

McDowall
Mockler
Moore
Morin
Murphy
Monek
Peake

Messrs.—

Thoreson
Treat
Wake
Walker
Watts
Wedge
Welford

Mr. Tufte nominated Otto Sougstad for assistant chief clerk.

The roll being called there were 73 votes cast of which Mr. Sougstad received 73 and was declared duly elected assistant chief clerk.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Casey
Chapman
Church
Collins
Connolly
Dean
Dibley
Duncan
Evans
Flamer
Freeman
Garden
Gibbens
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Haugen
Hemmingsen
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Law
Mathews
McDowall
Midgarden
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Plath
Pugh
Putnam
Restemayer
Rose of Dickey
Shirley
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Buttz
Carter
Crawford
Cunningham
Elhard
Ganssle
Hankinson
Hanson

Messrs.—

Hosford
Johnson of Pembina
Jones of Barnes
Martin of Morton
Martin of Billings
Miller
Monek
Murphy

Messrs.—

Purdon
Rohs of Morton
Schlenker
Shannafelt
Simpson
Sinclair
Wake
Walker

Mr. Midgarden nominated M. O. Gullackson of Walsh county, as chief enrolling and engrossing clerk.

The roll being called there were 85 votes cast.
Of which Mr. Gullackson received 85
And was declared duly elected as chief enrolling and en-
grossing clerk.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Parkhill
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Shannafelt
Brotnov	Hemmingsen	Sinclair
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Trail
Buttz	Johnson of Pembina	Shirley
Carter	Johnson of Sargent	Stavens
Chapman	Johnson of Ward	Steen
Church	Jones of Barnes	Stevens
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Cunningham	Martin of Morton	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Moore	Ueland
Evans	Morin	Wake
Flamer	Monek	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Trail	White
Gibbens	Oveson	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	McDowall	Storey
Crawford	Murphy	Svvertson
Ganssle	Rose of Dickey	Watts
Martin of Billings	Schlenker	Wedge
Mathews	Simpson	

Mr. Shirley nominated O. J. Quamme as bill clerk.
The roll being called
There were 83 votes cast,
Of which Mr. Quamme received 83
And was declared the duly elected bill clerk.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Parkhill
Adams	Giedt	Peake
Anderson, Grand F'rks	Graham	Piper
Anderson, Bernt	Grant	Plath

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Griffith	Pugh
Andrus	Hallick	Purdon
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Shannafelt
Brotnov	Hanson	Simpson
Burdick	Haugen	Sinclair
Burgum	Hemmingsen	Sorlie of Traill
Buttz	Hosford	Shirley
Carter	Jensen	Stavens
Casey	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Collins	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Swendseid
Cunningham	Law	Syvertson
Dean	Midgarden	Tofsrud
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Monek	Welford
Freeman	Nelson of Steele	White
Garden	Nelson of Traill	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	Murphy	Sorley of Grand Forks
Ganssle	Oveson	Thoreson
Halaas	Putnam	Treat
Martin of Morton	Restemayer	Watts
Martin of Billings	Rose of Dickey	Wedge
McDowall	Schlenker	

Mr. Sorlie of Traill, nominated O. K. Hovet as sergeant-at-arms.

The roll being called there were 75 votes cast.

Of which O. K. Hovet received 75

And was declared duly elected sergeant-at-arms.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Freeman	Peake
Adams	Ganssle	Piper
Anderson, Bernt	Gibbens	Plath
Anderson, O. P. N.	Giedt	Pugh
Andrus	Graham	Purdon
Blake	Grant	Putnam
Blegen	Griffith	Rohs of Morton
Brotnov	Hallick	Shannafelt
Burdick	Haugen	Sorlie of Traill
Burgum	Hemmingsen	Shirley
Buttz	Hosford	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey

Messrs.—

Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer

Messrs.—

Midgarden
Miller
Mockler
Moore
Morin
Murphy
Monek
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Walker
White
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Grand F'rks
Brodie
Garden
Halaas
Hankinson
Hanson
Jensen
Jones of Barnes
Jones of Ransom

Messrs.—

Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Restemayer
Rose of Dickey
Schlenker

Messrs.—

Simpson
Sinclair
Sorley of Grand Forks
Streeter
Wake
Watts
Wedge
Welford

Mr. Griffith nominated F. A. McDonald as doorkeeper.

The roll being called there were 74 votes cast,

Of which Mr. McDonald received 74,

And was declared duly elected as doorkeeper.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman

Messrs.—

Garden
Gibbens
Giedt
Graham
Grant
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Midgarden
Miller
Mockler
Moore
Morin
Murphy
Monek
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Shannafelt
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Tufte
Ueland
Wake
Walker
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Law	Sinclair
Brotnov	Martin of Morton	Sorley of Grand Forks
Crawford	Martin of Billings	Syverson
Ganssle	Mathews	Treat
Griffith	McDowall	Watts
Halaas	Restemayer	Wedge
Hankinson	Rose of Dickey	Welford
Jones of Barnes	Schlenker	White
Jones of Ransom	Simpson	

Mr. Duncan nominated David Maddock as gallery door-keeper.

The roll being called there were 86 votes cast.

Of which Mr. Maddock received 84

And was declared the duly elected gallery doorkeeper.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Pugh
Adams	Griffith	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Eernt	Hanawalt	Rohs of Morton
Anderson, O. P. N.	Hankinson	Rose of Dickey
Andrus	Hanson	Shannafelt
Blake	Haugen	Sinclair
Blegen	Hemmingsen	Sorley of Grand Forks
Brodie	Hosford	Sorlie of Traill
Burdick	Jensen	Shirley
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Church	Law	Swendseid
Collins	Midgarden	Syverson
Connolly	Miller	Thoreson
Cunningham	Moore	Tofsrud
Dean	Morin	Treat
Dibley	Murphy	Tufte
Duncan	Monek	Ueland
Elhard	Nelson of Steele	Wake
Evans	Nelson of Traill	Walker
Flamer	Oveson	Watts
Freeman	Parkhill	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker
Graham	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Martin of Morton	Schlenker
Crawford	Martin of Billings	Simpson
Ganssle	McDowall	Mathews
Garden	Mockler	Wedge
Halaas	Restemayer	

Mr. Plath nominated R. J. Percey as messenger.
 The roll being called there were 78 votes cast,
 Of which R. J. Percey received 78
 And was declared duly elected as messenger.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Parkhill
Adams	Griffith	Piper
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Rohs of Morton
Blake	Hanson	Shannafelt
Blegen	Haugen	Sinclair
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Shirley
Carter	Johnson of Pembina	Stavens
Casey	Johnson of Sargent	Steen
Chapman	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Law	Streeter
Connolly	Midgarden	Swendseid
Cunningham	Miller	Syvertson
Dean	Mockler	Thoreson
Dibley	Moore	Tofsrud
Duncan	Morin	Tufte
Elhard	Murphy	Ueland
Evans	Monek	Wake
Gibbens	Nelson of Steele	Walker
Giedt	Nelson of Traill	White
Graham	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Rose of Dickey
Brotnov	Martin of Billings	Schlenker
Crawford	Mathews	Simpson
Flamer	McDowall	Treat
Freeman	Peake	Watts
Ganssle	Plath	Wedge
Garden	Restemayer	Welford
Jones of Ransom		

Mr. Tofsrud nominated Hans Fosser as messenger.
 The roll being called there were 82 votes cast,
 Of which Hans Fosser received 82
 And was declared duly elected as messenger.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Parkhill
Adams	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanawalt	Putnam
Blake	Hankinson	Rohs of Morton
Blegen	Hanson	Rose of Dickey
Brotnov	Haugen	Shannafelt
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Shirley
Carter	Johnson of Pembina	Stavens
Casey	Johnson of Sargent	Steen
Chapman	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Law	Swendseid
Connolly	Midgarden	Syvertson
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Dibley	Moore	Tufte
Duncan	Morin	Ueland
Elhard	Murphy	Wake
Evans	Monek	Walker
Flamer	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Sinclair
Crawford	McDowall	Streeter
Freeman	Peake	Treat
Ganssle	Restemayer	Watts
Jones of Ransom	Schlenker	Wedge
Martin of Morton	Simpson	

Mr. Shirley nominated Rev. F. W. Stanton as chaplain.

The roll being called there were 85 votes cast,

Of which Rev. Stanton received 85

And was declared the duly elected chaplain.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Shannafelt
Brodie	Hanson	Sinclair
Brotnov	Haugen	Sorley of Grand Forks
Burdick	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Shirley
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Collins	Law	Swendseid

Messrs.—	Messrs.—	Messrs.—
Connolly	Mathews	Syvertson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Evans	Monek	Walker
Flamer	Nelson of Steele	Welford
Freeman	Nelson of Traill	White
Garden	Oveson	Mr. Speaker
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	McDowall	Schlenker
Ganssle	Murphy	Simpson
Jones of Ransom	Peake	Treat
Martin of Morton	Restemayer	Watts
Martin of Billings	Rose of Dickey	Wedge

Mr. Anderson nominated Laura Connor as members' stenographer.

The roll being called there were 77 votes cast,

Of which Miss Connor received 77

And was declared duly elected members' stenographer.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Plath
Anderson, Grand F'rks	Graham	Pugh
Anderson, Bernt	Grant	Purdon
Anderson, O. P. N.	Griffith	Putnam
Andrus	Hallick	Rohs of Morton
Blake	Hanawalt	Shannafelt
Blegen	Haugen	Sinclair
Brodie	Hemmingsen	Sorley of Grand Forks
Brotnov	Hosford	Sorlie of Traill
Burdick	Jensen	Shirley
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Church	Law	Swendseid
Collins	Midgarden	Syvertson
Connolly	Miller	Thoreson
Cunningham	Mockler	Tofsrud
Dean	Moore	Tufte
Dibley	Morin	Ueland
Duncan	Nelson of Steele	Wake
Elhard	Nelson of Traill	Walker
Evans	Oveson	Welford
Flamer	Parkhill	White
Garden	Peake	Mr. Speaker
Gibbens	Piper	

Absent and not voting:

Messrs.—

Adams
Chapman
Crawford
Freeman
Ganssle
Halaas
Hankinson
Hanson

Messrs.—

Jones of Ransom
Martin of Morton
Martin of Billings
Mathews
McDowall
Murphy
Monek
Restemayer

Messrs.—

Rose of Dickey
Schlenker
Simpson
Streeter
Treat
Watts
Wedge

Mr. Garden nominated Mabel Thorburn for house stenographer.

The roll being called there were 75 votes cast.

Of which Miss Thorburn received 75 and was declared duly elected house stenographer.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brotnov
Burdick
Burgum
Carter
Casey
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Gibbens
Garden
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Sorley of Grand Forks
Sorlie of Traill
Shirley
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Wake
Walker
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Blake
Brodie
Puttz
Chapman
Crawford
Ganssle
Hankinson
Jones of Ransom

Messrs.—

Martin of Morton
Martin of Billings
Mathews
McDowall
Murphy
Monek
Restemayer
Rose of Dickey

Messrs.—

Schlenker
Shannafelt
Simpson
Sinclair
Stavens
Treat
Watts
Wedge

Mr. Hanawalt nominated C. L. Jones as bill room clerk.
 The roll being called there were 77 votes cast.
 Of which Mr. Jones received 77
 And was declared duly elected bill room clerk.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Rohs of Morton
Blake	Hanson	Shannafelt
Blegen	Haugen	Sorley of Grand Forks
Brotnov	Hemmingsen	Sorlie of Traill
Burdick	Hosford	Shirley
Burgum	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Swendseid
Collins	Mathews	Syvertson
Connolly	Midgarden	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Treat
Dibley	Moore	Tufte
Duncan	Morin	Ueland
Elhard	Nelson of Steele	Wake
Evans	Nelson of Traill	Walker
Flamer	Oveson	Watts
Gibbens	Parkhill	Welford
Giedt	Peake	White
Graham	Piper	Mr. Speaker
Grant	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Restemayer
Andrus	Johnson of Sargent	Rose of Dickey
Brodie	Law	Schlenker
Buttz	Martin of Morton	Simpson
Crawford	Martin of Billings	Sinclair
Freeman	McDowall	Streeter
Ganssle	Murphy	Wedge
Garden	Monek	

Mr. Grant nominated Thomas Radcliffe as assistant bill room clerk.

The roll being called there were 75 votes cast,
 Of which Mr. Radcliffe received 75
 And was declared duly elected assistant bill room clerk.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Giedt	Pugh
Anderson, Bernt	Graham	Purdon
Anderson, O. P. N.	Grant	Putnam
Blake	Griffith	Restemayer

Messrs.—

Blegen
 Brotnov
 Burdick
 Burgum
 Buttz
 Carter
 Casey
 Chapman
 Church
 Collins
 Connolly
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Garden
 Gibbens

Messrs.—

Halaas
 Hallick
 Hanawalt
 Hosford
 Jensen
 Johnson of Pembina
 Jones of Ransom
 Martin of Morton
 Martin of Billings
 McDowall
 Midgarden
 Miller
 Mockler
 Moore
 Morin
 Nelson of Trail
 Oveson
 Parkhill
 Peake
 Piper
 Plath

Messrs.—

Rohs of Morton
 Shannafelt
 Sorley of Grand Forks
 Sorlie of Traill
 Shirley
 Stavens
 Steen
 Stevens
 Storey
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Treat
 Tuft
 Ueland
 Wake
 Walker
 Watts
 White
 Mr. Speaker

Absent and not voting:

Messrs.—

Aaker
 Adams
 Andrus
 Brodie
 Crawford
 Ganssle
 Hankinson
 Hanson
 Haugen

Messrs.—

Hemmingsen
 Johnson of Sargent
 Johnson of Ward
 Jones of Barnes
 Law
 Mathews
 Murphy
 Monek

Messrs.—

Nelson of Steele
 Rose of Dickey
 Schlenker
 Simpson
 Sinclair
 Streeter
 Wedge
 Welford

Mr. Peake nominated Ed. K. Mason as clerk for the judiciary committee.

The roll being called there were 84 votes cast,

Of which Mr. Mason received 84 and was declared duly elected clerk of the judiciary committee.

Those who voted in the affirmative were:

Messrs.—

Aaker
 Anderson, Grand F'rks
 Anderson, Bernt
 Anderson, O. P. N.
 Blake
 Blegen
 Brotnov
 Burgum
 Buttz
 Carter
 Casey
 Chapman
 Church
 Collins
 Connolly
 Cunningham

Messrs.—

Grant
 Griffith
 Halaas
 Hallick
 Hanawalt
 Hanson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Ward
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton

Messrs.—

Piper
 Plath
 Pugh
 Purdon
 Putnam
 Rohs of Morton
 Shannafelt
 Sorley of Grand Forks
 Sorlie of Traill
 Shirley
 Stavens
 Steen
 Stevens
 Storey
 Swendseid
 Syvertson

Messrs.—

Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Mathews
Midgarden
Miller
Mockler
Moore
Morin
Monek
Nelson of Steele
Nelson of Trail
Oveson
Parkhill
Peake

Messrs.—

Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Andrus
Brodie
Burdick
Crawford
Hankinson

Messrs.—

Johnson of Sargent
Martin of Billings
McDowall
Murphy
Restemayer

Messrs.—

Rose of Dickey
Schlenker
Simpson
Sinclair
Streeter

Mr. Stavens nominated T. G. Anderson as journal clerk.
The roll being called there were 86 votes cast,
Of which Mr. Anderson received 86
And was declared duly elected journal clerk.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Trail
Oveson
Parkhill

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Andrus
Brodie
Hankinson
Martin of Billings

Messrs.—

Monek
Murphy
Restemayer
Rose of Dickey
Schlenker

Messrs.—

Simpson
Sinclair
Streeter
Wedge

Mr. Haugen nominated William Hennesey as assistant journal clerk.

The roll being called there were 85 votes cast,
Of which Mr. Hennesey received 85
And was declared duly elected assistant journal clerk.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Andrus
Brodie
Crawford
Graham
Hankinson

Messrs.—

Martin of Billings
Monek
Murphy
Restemayer
Rose of Dickey

Messrs.—

Schlenker
Simpson
Sinclair
Streeter
Wedge

Mr. Piper nominated J. L. Smith as janitor.

The roll call being called there were 81 votes cast,
Of which Mr. Smith received 81

And was declared the duly elected janitor.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Blake	Halaas	Pugh
Blegen	Hallick	Purdon
Brotnov	Hanawalt	Putnam
Burdick	Hanson	Shannafelt
Burgum	Haugen	Sorley of Grand Forks
Buttz	Hemmingsen	Sorley of Traill
Carter	Hosford	Shirley
Casey	Jensen	Stavens
Chapman	Johnson of Pembina	Steen
Church	Johnson of Sargent	Stevens
Collins	Johnson of Ward	Storey
Connolly	Jones of Barnes	Streeter
Cunningham	Law	Swendseid
Dean	Martin of Morton	Syvertson
Dibley	Martin of Billings	Thoreson
Duncan	McDowall	Tofsrud
Elhard	Miller	Treat
Evans	Mockler	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Midgarden	Schlenker
Andrus	Monek	Simpson
Brodie	Murphy	Sinclair
Crawford	Restemayer	Walker
Hankinson	Rohs of Morton	Watts
Jones of Ransom	Rose of Dickey	Wedge
Mathews		

Mr. Burdick nominated George Fisher as janitor.

The roll being called there were 82 votes cast,

Of which Mr. Fisher received 82

And was declared duly elected janitor.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hanson	Rohs of Morton
Burdick	Haugen	Shannafelt
Burgum	Hemmingsen	Sorley of Grand Forks

Messrs.—

Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Andrus
Brodie
Crawford
Hankinson
Jones of Ransom

Messrs.—

Martin of Billings
McDowall
Murphy
Monek
Restemayer
Rose of Dickey

Messrs.—

Schlenker
Simpson
Sinclair
Streeter
Watts
Wedge

Mr. Sorley nominated A. D. Raney as watchman.

The roll being called there were 82 votes cast.

Of which Mr. Raney received 82

And was declared duly elected watchman.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans

Messrs.—

Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Shannafelt
Shirley
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte

Messrs.—

Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Ueland
Wake
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Andrus
Brodie
Crawford
Hankinson
Jones of Ransom
Martin of Billings

Messrs.—

McDowall
Monek
Murphy
Restemayer
Rose of Dickey
Schlenker

Messrs.—

Simpson
Sinclair
Streeter
Walker
Watts
Wedge

Mr. Sorlie of Traill nominated T. Barry as cloak room attendant.

The roll being called there were 70 votes cast,

Of which Mr. Barry received 70

And was duly elected as cloak room attendant.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer
Freeman
Garden
Gibbens

Messrs.—

Giedt
Graham
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Midgarden
Miller
Mockler
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Peake
Piper
Purdon
Putnam
Rohs of Morton
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tufte
Ueland
Wake
Walker
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Andrus
Brodie
Brotnov
Church
Collins
Crawford

Messrs.—

Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall

Messrs.—

Restemayer
Rose of Dickey
Schlenker
Shannafelt
Simpson
Stevens

Messrs.—	Messrs.—	Messrs.—
Evans	Monek	Tofsrud
Ganssle	Parkhill	Treat
Grant	Plath	Watts
Hankinson	Pugh	Wedge
Johnson of Ward		

Mr. Sorley of Grand Forks, nominated W. D. Dopking as cloak room attendant.

The roll being called there were 82 votes cast.

Of which Mr. Dopking received 82

And was declared duly elected as cloak room attendant.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hanson	Rohs of Morton
Burdick	Haugen	Shannafelt
Burgum	Hemmingsen	Sorley of Grand Forks
Buttz	Hosford	Sorlie of Traill
Carter	Jensen	Shirley
Casey	Johnson of Pembina	Stavens
Chapman	Johnson of Sargent	Steen
Church	Johnson of Ward	Stevens
Collins	Jones of Barnes	Storey
Connolly	Law	Swendseid
Cunningham	Martin of Morton	Syverson
Dean	Mathews	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Treat
Elhard	Mockler	Tufte
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens	Parkhill	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Schlenker
Andrus	McDowall	Simpson
Brodie	Monek	Sinclair
Crawford	Murphy	Streeter
Hankinson	Restemayer	Watts
Jones of Ransom	Rose of Dickey	Wedge

Mr. Griffith nominated Harold Semling as page.

The roll being called there were 75 votes cast,

Of which Harold Semling received 75

And was declared duly elected as page.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Rohs of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Syverson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

Mr. Griffith nominated Arnold Michaelson as page.

The roll being called there were 75 votes cast,

Of which Arnold Michaelson received 75

And was declared duly elected as page.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Rohs of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill

Messrs.—	Messrs.—	Messrs.—
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Syverson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

Mr. Griffith nominated Lester Budlong as page.

The roll being called there were 75 votes cast,

Of which Lester Budlong received 75

And was declared duly elected as page.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Robb of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Syverson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

Mr. Griffith nominated Joel Stebbins as page.
 The roll being called there were 75 votes cast,
 Of which Joel Stebbins received 75
 And was declared duly elected as page.

Those who voted in the affirmative were :

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Rohs of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Syvertson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

Mr. Griffith nominated Harry Beardsley as page.
 The roll being called there were 75 votes cast,
 Of which Harry Beardsley received 75
 And was declared duly elected as page.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Rohs of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Svvertson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

Mr. Griffith nominated Fred James as page.
 The roll being called there were 75 votes cast,
 Of which Fred James received 75
 And was declared duly elected as page.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Anderson, Grand F'rks	Graham	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh

Messrs.—	Messrs.—	Messrs.—
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Rohs of Morton
Burdick	Hanson	Sorley of Grand Forks
Burgum	Haugen	Sorlie of Traill
Buttz	Hemmingsen	Shirley
Carter	Hosford	Stavens
Casey	Jensen	Steen
Chapman	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Syvertson
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Martin of Billings	Shannafelt
Brodie	Mathews	Simpson
Church	McDowall	Sinclair
Crawford	Monek	Streeter
Dibley	Murphy	Treat
Ganssle	Restemayer	Ueland
Jones of Ransom	Rose of Dickey	Watts
Law	Schlenker	Wedge
Martin of Morton		

The speaker administered the oath of office to the following named employes:

W. D. Austin and Otto Sougstad, assistant chief clerks; O. J. Quamme, bill clerk; F. A. McDonald, doorkeeper; C. L. Jones, bill room attendant; A. E. Raney, watchman; W. D. Dopking, clerk room attendant; George Fisher, janitor; Arnold Michaelson, Harry Beardsley, Lester Budlong, Harold Semling, Fred James and Joel Stebbins, pages.

Mr. Sorley of Grand Forks moved

That the speaker be authorized to appoint

A temporary committee of five on rules,

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee

Messrs. Sorley of Grand Forks, Peake, Casey, White and Burgum.

RECESS.

A recess was taken for ten minutes.

The house re-assembled.

REPORT OF COMMITTEE ON RULES.

The committee on rules presented the following report:

Mr. Speaker:

Your committee on rules begs leave to report and recommend the adoption of the following as the rules of the Tenth Legislative assembly:

1. The speaker shall take the chair at the time to which the house stands adjourned, and the house shall then be called to order, and the roll of members called and the names of the absentees entered upon the journal of the house.

2. Upon the appearance of a quorum the journal of the preceding day shall be referred to the committee on revision and correction. Any mistake therein shall be corrected by the committee and reported to the house for action.

3. Thirty one members of the house may order a call for the house and cause absent members to be sent for, but a call must not be made while a vote is being taken. The call being moved, the speaker shall require those desiring the call to rise, and if thirty-one or more members shall rise the call shall be ordered. The call being ordered the sergeant at arms shall close the door and allow no member to leave the room. The clerk shall then call the roll and furnish the sergeant at arms with a list of those members absent without leave, and that officer must proceed forthwith to find and bring in such absentees. While the house is under call no business can be transacted except to receive and act upon the report of the sergeant at arms and no motion is in order except a motion to suspend further proceedings under the call, and said motion shall not be adopted unless a majority of all members elect vote in favor thereof. Upon a report of the sergeant at arms showing that all members who were absent without leave, naming them, are present, the call shall be at an end, and the doors shall be opened, and the business pending at the time the call was made be proceeded with.

4. The speaker shall preserve order and decorum and decide all questions of order subject to an appeal to the house.

5. The speaker shall vote on all questions taken by ayes and nays (except on appeals from his own decisions) and in all elections or decisions called for by any member.

6. When the house adjourns the members shall keep their seats until the speaker announces the adjournment.

7. Every member previous to his speaking shall rise from his seat and respectfully address "Mr. Speaker," and remain standing in his place before proceeding to speak until he is recognized by the chair.

8. When two or more members arise at the same time to speak the speaker must designate the member who is to speak, but in all cases the member who shall rise first and address the chair may speak first.

9. No member shall speak more than twice on the same subject without leave of the house, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the house.

10. No motion shall be debated or put unless the same be seconded. It must then be stated by the speaker before the debate and any such motion must be reduced to writing if the speaker or any member desires it.

11. After the motion shall be stated by the speaker, it shall be deemed to be in possession of the house, but may be withdrawn at any time before amendment or decision, but all motions, resolutions or amendments must be entered on the journal, whether rejected or adopted.

12. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely—which several motions shall have precedence in the order which they shall stand arranged.

13. A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote is being taken; that, and the motion to lay upon the table, shall be decided without debate.

14. The previous question shall be set in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon the amendments reported by a committee, if any, upon the pending amendments and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the remainder of the sitting unless sooner disposed of in some other manner.

16. All incidental questions of order arising after motion is made for the previous question, during the pendency of such motion, or after the house shall have determined that the main question shall be now put shall be decided, whether on appeal or otherwise without debate.

17. Petitions, memorials and other papers addressed to the house shall be presented by the speaker or by a member in his place.

18. Every member who is present, before the vote is declared from the chair, must vote for or against the question before the house, unless the house excuses him or unless he is immediately interested in the question, in which case he must not vote.

19. When the speaker is putting the question, no member shall walk out of, or across the house, nor when a member is speaking, shall any person entertain any private discourse, or pass between the person speaking and the chair.

20. If a question in debate contains several propositions, any member may have the same divided.

21. A member called to order must immediately sit down unless permitted to explain, and the house, if appealed to, must decide the case. If there be no appeal, the decision of the chair shall stand. On appeal no member shall speak more than once without leave of the house. When a member is called to order for offensive language there shall be no debate.

22. A bill can only be introduced on the report of a committee or on a call for bills, or by a motion for leave.

23. Every bill, before being introduced, shall be in typewritten form and shall have endorsed thereon its title, and every bill and resolution shall have endorsed thereon the name of the member introducing the same, and when ordered by a committee the name of such committee shall be endorsed thereon.

24. Every bill, memorial, order and resolution, requiring the approval of the governor, or a change in the constitution of the state of North Dakota, shall, after second reading, be referred to its appropriate committee, and if reported without amendment, shall pass to its third reading, unless otherwise ordered, and when amended it shall go to committee of the whole house.

25. All bills shall be properly engrossed before their final passage.

26. No amendment shall be received on the third reading, except to fill blanks, without unanimous consent of the house, but all bills and resolutions may be committed at any time previous to their passage. If any amendment be reported on such commitment by any other than a committee of the whole, it shall be read a second time, and the question of third reading and passage put.

27. No motion or proposition on a subject different from that under consideration shall be admitted, under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the house.

28. In forming a committee of the whole house the speaker shall appoint a chairman to preside.

29. Bills committed to the committee of the whole house shall be read, be open to amendment, and debated by sections, unless otherwise ordered, leaving the title to be last considered; all amendments shall be noted in writing and reported to the house by the chairman.

30. All questions, whether in committee, or in the house, shall be put in the order in which they are moved, except in the case of privileged questions, and in filling blanks the largest sum and the longest time shall be first put.

31. A similar mode of procedure shall be observed with bills which have originated in and passed the senate as with bills which have originated in the house, except that they shall not be printed nor engrossed or enrolled.

32. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be considered took place, nor unless one of the majority shall move a consideration.

33. When notice of intention to move the reconsideration of any bill or joint resolution shall be given by a member, the clerk of the house shall retain the said bill or joint resolution until after the time during which the said motion can be made unless the same can previously be disposed of.

34. Any member who votes on the majority side of a question may move a reconsideration of the same, which motion shall be decided by a majority vote.

35. The rules of the house shall be observed in committee of the whole house so far as may be applicable except that the ayes and nays shall not be called, the previous question enforced nor the time of speaking limited.

36. A motion that the committee rise shall always be in order and shall be decided without debate.

37. No bill reported from standing or select committees or from the committee of the whole shall come up for a third reading until the first day after such report unless the house by a two-thirds vote otherwise orders.

38. Standing committees shall be appointed on the following subjects:

- On rules to consist of nine members.
- On mileage and per diem to consist of three members.
- On judiciary to consist of nineteen members.
- On ways and means to consist of eleven members.
- On railroads to consist of nineteen members.
- On appropriations to consist of seventeen members.
- On engrossment to consist of nine members.
- On enrollment to consist of nine members.
- On education to consist of thirteen members.
- On elections and privileges to consist of fifteen members.
- On municipal corporations to consist of nine members.
- On corporations other than municipal to consist of nine members.

bers.

- On agriculture to consist of thirteen members.
- On public printing to consist of nine members.
- On irrigation to consist of nine members.
- On insurance to consist of nine members.
- On banking to consist of eleven members.
- On labor to consist of nine members.
- On immigration to consist of nine members.
- On apportionment to consist of a member from each senatorial district.

- On schools and public lands to consist of nine members.
- On public health to consist of nine members.
- On military affairs to consist of nine members.
- On warehouses, grain, grading and dealing to consist of fifteen members.

- On federal relations to consist of nine members.
- On temperance to consist of fifteen members.
- On highways, bridges and ferries to consist of nine members.
- On state affairs to consist of fifteen members.
- On supplies and expenditures to consist of nine members.
- On forestry to consist of nine members.
- On public debt to consist of nine members.
- On manufactures to consist of nine members.
- On counties and county boundries to consist of nine members.
- On taxes and tax laws to consist of fifteen members.
- On coal lands and mining to consist of nine members.
- On live stock industry to consist of eleven members.
- On revision and correction of the Journal to consist of seven members.

- On game and fish to consist of nine members.

Also joint committees on the following subjects.

- On public buildings to consist of nine members.
- On charitable institutions to consist of nine members.
- On penal institutions to consist of nine members.
- On educational institutions to consist of nine members.
- On state library to consist of nine members.
- On joint rules to consist of nine members.

39. The first named member of each committee shall be the chairman and in his absence or being excused by the house the next named member and so on as often as the case shall happen, shall act as chairman.

40. The committee on engrossment shall examine all bills after they are engrossed and report the same to the house correctly engrossed before their third reading; said committee may report at any time.

41. The committee on enrollment shall examine all house bills and memorials which have passed the two houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the house and senate for their signatures, and when so signed, presented to the governor for his approval; said committee may report at any time.

42. Select committees to whom reference shall have been made, must, in all cases, report a state of facts and their opinion thereon to the house.

43. In all cases where a bill, order or resolution, or motion shall be entered upon the journal of the house, the name of the member moving the same shall be entered on the journal.

44. No person shall be admitted within the bar of the house except the executive, members of the senate, state officers, judges of the supreme and district courts, members of congress, ex-members of the legislative assembly, delegates to the state constitutional convention, all federal officers of the state and reporters for newspapers, except by card of the speaker. Any person lobbying on the floor of the house shall forfeit the privilege granted by this rule.

45. After calling the house to order the order of business for the day shall be as follows.

1. Prayer by the chaplain.
2. Calling the roll.
3. Reference of the journal.
4. Presentations of petitions and communications.
5. Reports of standing committees.
6. Reports of select committees.
7. Motions and resolutions.
8. Unfinished business.
9. Introduction of bills and memorials.
10. First and second reading of house bills and memorials.
11. Third reading of the same.
12. Consideration of message from the senate.
13. First and second reading of senate bills and memorials.
14. Third reading of the same.
15. Consideration of general orders.

46. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

47. When the house has arrived at "the general orders of the day" it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the house, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up the committee of the whole shall consider, act upon, or pass the general order, according to the order of reference.

48. The speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the house.

49. The rules of parliamentary practice adopted by the house of representatives of the United States shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the house, and the joint rules and orders of the senate and house of representatives.

50. No rule of the house shall be suspended, altered or amended without the concurrence of two thirds of the members of the whole house.

51. The hour of daily meeting of the house shall be 2 o'clock in the afternoon, until the house directs otherwise.

52. The ayes and nays shall not be ordered unless demanded by one-sixth of the members present except on the final passage of bills, concurrent resolutions to amend the constitution, and memorials, in which case ayes and nays shall be had without demand.

53. In case all the members of any committee, required or entitled to report on any subject referred to them, cannot agree upon any report the majority and minority may each make a special report, and any member dissenting in whole or in part, from the reasonings and conclusions of both majority and minority may also present to the house a statement of his reasonings and conclusions; and all reports, if decorous in language, and respectful to the house, shall be entered at length on the journal.

54. No smoking shall be allowed in the house while in session.

55. No member or any other person shall remain by the clerk's desk when the ayes and nays are being called.

56. In case of any disturbance or disorderly conduct in the lobby or gallery, the speaker or chairman of the committee of the whole shall have power to order the same to be cleared.

57. No member or officer of the house, unless he, from illness or other cause shall be unable to attend, shall absent himself from a session of the house during an entire day without first having obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

58. Neither the chief clerk nor his assistant shall permit any records or papers belonging to the house to be taken out of their custody otherwise than in the regular course of business. The chief clerk shall report all missing bills, resolutions and papers to the speaker; shall have general supervision of all clerical duties appertaining to the business of the house; shall perform, under the direction of the speaker, all duties pertaining to the office, and shall also keep a book showing the situation and progress of all the bills, memorials and joint resolutions.

59. At least one day's notice shall be given of the introduction of any motion or resolution calling for or involving the expenditure of any money.

60. The chairmen of the different standing committees shall send to the chief clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committee.

J. A. SORLEY,
G. S. WHITE,
T. O. BURGUM,
AMASA P. PEAKE,
T. D. CASEY,
Committee.

Mr. Sorley of Grand Forks moved the adoption of the report

Which motion prevailed and

The report was adopted.

Mr. Shirley offered the following resolution and moved its adoption:

Resolved, That the speaker be authorized to appoint a committee of three to inform the governor that the house of representatives of the tenth session of the legislative assembly has organized and is ready to receive any message he desires to communicate to the house.

Which motion prevailed
And the resolution was adopted.

The speaker appointed as such committee
Messrs. Shirley, Chapman and Haugen.

Mr. Peake offered the following resolution and moved its adoption:

Resolved, That the speaker appoint a committee of three to notify the senate that the house has completed its organization and is ready for the transaction of business.

Which motion prevailed and
The resolution was adopted.

The speaker appointed as such committee
Messrs. Peake, Buttz and Church.

Mr. Haugen offered the following resolution and moved its adoption:

Resolved, That the speaker be authorized to appoint a temporary committee on revision and correction of the journal.

Which motion prevailed and the
Resolution was adopted.

The speaker appointed as such committee
Messrs. Nelson of Traill, Tofsrud and Putnam.

Mr. Sorlie of Traill, offered the following resolution and moved its adoption:

Resolved, That following the usual custom members of the house should as far as possible, send two copies of bills to the desk, one for the use of the newspaper men at the capitol.

Which motion prevailed and
The resolution was adopted.

Mr. Nelson of Traill offered the following resolution and moved its adoption:

Resolved, That the speaker is hereby requested and authorized to appoint a committee of three on mileage and per diem.

Which motion prevailed and
The resolution was adopted.

The speaker appointed as such committee
Messrs. Sorlie of Traill, Johnson of Ward, and Blake.

Mr. Streeter offered the following resolution and moved its adoption:

Resolved, That the Secretary of State be, and he is thereby authorized to procure and cause to be sent to each regularly published newspaper in the state copies of the daily journal and bills; and for the mailing of such documents the speaker of the house is authorized to detail one of the regularly employed house clerks not otherwise engaged, to assist the force in the office of the Secretary of State.

Which motion prevailed and
The resolution was adopted.

Mr. Burgum offered the following resolution and moved its adoption:

Resolved, That these be printed and furnished each member of the legislative assembly three extra copies of the journals and bills of the respective houses, and that all correspondents of the press be supplied with files of the bills and journals.

Mr. Ueland moved as a substitute motion that the resolution be referred to the committee of the whole

Which motion prevailed and
The resolution was so referred.

Mr. Piper offered the following resolution and moved its adoption:

Resolved, That the chief clerk of the house of the ninth legislative assembly be allowed mileage at ten cents per mile and twelve dollars for two days service in calling the house to order as by law provided.

Which motion prevailed and
The resolution was adopted.

Mr. Shirley offered the following resolution and moved its adoption:

Resolved, That the Secretary of State be authorized and directed to furnish the speaker and chief clerk of the house with necessary postage stamps during the session.

Mr. Buttz moved the adoption of the following substitute resolution:

Resolved, That the secretary of state be authorized and directed to furnish the speaker, chief clerk and house members with necessary postage stamps during the session, and is directed to keep an account of the amount furnished each member.

Division demanded.

The substitute resolution was lost.

The question being upon the original resolution the motion prevailed and

The resolution was adopted.

Mr. Stevens asked unanimous consent to introduce a bill, there being no objection.

INTRODUCTION OF BILLS.

Mr. Stevens introduced

House Bill No. 1,

A bill to amend section 155, of chapter 4 of the political code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Mr. Stevens moved that the rules be suspended and that the bill be placed upon its first and second readings.

Which motion prevailed.

And the bill was read the first and second times.

Mr. Stevens asked that the rules be suspended and that the speaker appoint a committee of five to whom House Bill No. 1 be referred for immediate consideration.

Which motion prevailed and

The speaker appointed as such committee Messrs. Shirley, Pugh, Putnam, White and Chapman.

A committee from the Senate waited on the House and reported that the Senate was organized and ready for business.

MESSAGE FROM THE SECRETARY OF STATE.

The following message was received from the secretary of state:

To the Members of the House of Representatives of the Tenth Legislative Assembly of the State of North Dakota:

Gentlemen:

I have the honor to transmit herewith notice of contest, stipulation, return testimony in contest case of J. E. Phelan vs. Thomas Evans.

Respectfully,

E. F. PORTER,

Secretary of State.

Mr. Stevens moved

That the communication from the secretary of state together with all records and documents be referred to the committee on privileges and elections when appointed.

Which motion prevailed, and

The communication was so referred.

Mr. Stevens moved

That when the house adjourns on Thursday that it stands adjourned until the Monday following.

Which motion prevailed.

Mr. White moved

That a recess be taken until 1:30 p. m. tomorrow.

Which motion prevailed and

The house took a recess.

P. D. NORTON,
Chief Clerk.

FIRST DAY AFTER RECESS

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 9, 1907.

House reassembled after recess at 1:30 p. m.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr Speaker:

I have the honor to report that the senate is organized with the following officers, and is ready to receive any communications from the house:

President—R. S. Lewis.

President pro tem.—J. A. Regan.

Secretary—J. W. Foley.

First Assistant Secretary—F. W. Kempf.

Second Assistant Secretary—George Weatherhead.

Chief Enrolling and Engrossing Clerk—W. P. Thurston.

Bill Clerk—L. K. Estabrook.

Sergeant at Arms—W. H. Brown.

Assistant Sergeant at Arms—Ever Wagness.

Doorkeeper—J. O. Rindahl.

Stenographer—Ara E. Waggoner.

Postmaster—John McKechnie.
Assistant Postmaster—E. R. Steinbruck.
Watchman—M. Skarison.
Journal Clerk—Katherine Coleman.
Assistant Journal Clerk—John Swenson.
Messenger—A. Glorvick.
Chaplain—O. F. Jones.
Proofreader—James E. Buttree.
Bill Room Clerk—E. Chapman.
Assistant Bill Room Clerk—S. Peterson.
Clerk of Appropriation Committee—M. R. Burley.
Clerk of Judiciary Committee—Hubert Hallenberg.
Doorkeeper, Senate Gallery—John Young.
Cloak Room Attendant—Chas. Palmer.
Janitor—O. P. Fossem.

Very respectfully,

JAMES W. FOLEY,
Secretary.

The speaker administered the oath of office to R. C. Wedge, Johann Schlenker and J. F. Brodie as members elect.

Mr. Stevens moved

That when this house adjourn it adjourn to meet at 1:50 p. m.

Which motion prevailed.

The speaker administered the oath of office to E. K. Mason, clerk of judiciary, T. W. Radcliff, bill room clerk and R. J. Percy, messenger.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed.

The house adjourned.

P. D. NORTON,
Chief Clerk.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 9, 1907.

The house assembled at 1:50 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present, except Messrs. Buttz and Treat, who were excused on account of sickness.

Mr. Shirley asked unanimous consent to return to the sixth order of business.

There being no objection, the house returned to the sixth order of business.

SPECIAL COMMITTEE REPORT.

Mr Speaker:

Your committee appointed to notify the governor that the house of representatives of the Tenth legislative assembly is duly organized for the transaction of business and to receive any message he may desire to communicate to it begs leave to report that it delivered said notice and was directed by the governor to report that at the proper time a message will be communicated to this house.

M. A. SHIRLEY,
Chairman.

Mr Speaker:

Your special committee to which was referred

House Bill No. 1,

Being a bill for an act entitled an act to amend section 155 of chapter 4 of the Political Code of the state of North

Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Begs leave to report that it had the same under consideration and recommends that the same do pass.

W. A. SHIRLEY,
Chairman.

Mr. Stevens moved the adoption of the report.

Which motion prevailed.

Mr. Stevens moved

That the rules be suspended and that House Bill No. 1 be placed on its third reading and final passage.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 1,

A bill to amend section 155, of chapter 4 of the political code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Was read the third time.

Mr. White asked unanimous consent to amend House Bill No. 1.

There being no objection Mr. White moved

That the bill be amended by inserting the word "farm" before the word "land" in line ten of the original bill.

Which motion prevailed.

The bill was so amended.

The question being upon the final passage of the bill, the roll was called and there were ayes 82 nays 9—absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brodie	Hemmingsen	Schlenker
Brotnov	Johnson of Pembina	Simpson
Burdick	Johnson of Sargent	Sinclair
Casey	Johnson of Ward	Sorley of Grand Forks
Carter	Jones of Barnes	Sorlie of Trail
Chapman	Law	Shirley
Church	Martin of Morton	Stavens
Collins	Martin of Billings	Stevens
Connolly	Mathews	Storey
Crawford	McDowall	Streeter
Cunningham	Miller	Swendseid
Dean	Mockler	Syvertson
Dibley	Moore	Thoreson
Duncan	Morin	Tofsrud
Elhard	Monek	Tufte
Evans	Nelson of Steele	Wake
Flamer	Nelson of Trail	Watts
Freeman	Oveson	Wedge
Ganssle	Parkhill	Welford
Garden	Peake	White
Giedt	Piper	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gibbens	Hosford	Shannafelt
Hanson	Jensen	Ueland
Haugen	Rose of Dickey	Walker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Buttz	Murphy
Adams	Jones of Ransom	Steen
Burgum	Midgarden	Treat

Messrs Treat and Buttz being excused.

So the bill as amended passed and the title was agreed to.
Mr. Stevens moved

That the vote by which House Bill No. 1 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That a committee of three be appointed by the speaker to wait upon the senate and inform that body that the house is now ready to go into joint session for the purpose of hearing the governor's message.

Which motion prevailed and the speaker appointed as such committee Messrs. Sorley of Grand Forks, Streeter and Griffith.

The Sergeant at arms announced the members of the senate.

JOINT SESSION.

Prayer by Rev. Jones.

Mr. Little moved

That a committee of two members of the senate and three members of the house be appointed to wait upon the governor and governor-elect to notify them that the joint session is now ready to receive them.

Which motion prevailed, and

The president appointed as such committee senators Little and Cashel and representatives Haugen, Casey and Hankinson.

The sergeant at arms announced the arrival of the committee escorting the governor, governor-elect and state officials.

Governor Sarles was introduced to the members of the joint assembly by the president of the senate.

Governor Sarles then delivered his message.

GOVERNOR SARLES' MESSAGE.

To the Members of the Tenth Legislative Assembly:

Obediently to the constitution and laws, I present to you a statement of the finances of the state, with such recommendations and observations regarding various departments and matters involving the administration of state affairs as my experience leads me to believe should be presented to your consideration. The growth and development of the state in the past biennial period have been such as to bring a proportionate additional expense in the administration of affairs. The demands upon public institutions have grown with the state, and it was necessary for the legislature two years ago to provide by direct appropriation for their increasing needs. These appropriations have been paid and their payment has entailed a larger burden than usual upon the general fund. In addition to extraordinary expenses for permanent improvements, there was an increase in the appropriations for various other departments and purposes deemed necessary by the legislative assembly and the executive. These appropriations have all been paid and there is a balance in the general fund at the close of the biennial period, notwithstanding the increased demands upon the treasury during the past two years.

EXTRAORDINARY EXPENSES.

The following list shows some of the payments made from the general fund of the state for permanent improvements at state institutions and for other purposes, involving expenses not encountered by the administrations of preceding years. They are expenses incidental to the growth and development of the state and will show why the payments from the general fund must necessarily exceed those of the preceding two years:

Deficits to State Institutions—		
State University	\$ 68,000.00	
Agricultural College	30,400.00	
Valley City Normal	38,000.00	
School for Deaf	18,000.00	
Total		\$ 154,400.00
Hospital Insane, buildings		85,000.00
Penitentiary—		
Woman's ward and hospital	\$ 20,000.00	
Emergency board appropriation cells and cell room..	31,000.00	
Total		51,000.00
Maintenance Institution for Feeble Minded—		
Deficit appropriation	\$ 9,345.00	
Permanent improvements	12,000.00	
Total		21,345.00
School for Deaf, sewer, land and side track		5,991.00
Valley City Normal—		
Building "Model Schools," sewer, plumbing, artesian well, real estate, furniture		42,695.00
Mayville Normal School, building and equipment		45,000.00
Sewer (emergency)		2,000.00
Blind Asylum, buildings		25,000.00
Agricultural College, laboratory and greenhouse		50,000.00
State dipping tanks, deficiency		7,000.00
Revised Codes, 1905		9,500.00
Cochrane library (purchase)		10,000.00
State fairs		30,000.00
Immigration		20,000.00
Dickinson Experimental Station		10,000.00
Increased aid high schools		30,000.00
Irrigation and state engineer		12,000.00
Increased farmers' institute fund		6,000.00
Increased maintenance		10,000.00
Increased salary and clerk hire		25,000.00

To meet these charges against the general fund of the state there has been no other revenue than the current taxes and receipts of the state from the sources set out in the financial statement made a part of this message and the proceeds of the sale of \$150,000 of bonds authorized by the last legislative assembly.

I recommend the repeal of the law confining state and county printing within the state. The present provisions invite collusion detrimental to proper results, and, in my opinion, since the present law has been in force it has in consequence cost the state and counties many thousands of dollars in excess of legitimate cost. The combination of certain printing concerns of four years ago was made possible by the present law, costing the state 36 per cent extra as a result. Legislative investigation to determine the state's ability to recover the excessive charges is recommended. The records of the various counties will show large increase in cost of printing, done under the present laws. South Dakota had a similar law, which was repealed

four years ago. I urged the chairman of the senate and house printing committees during the 1905 session to prepare a committee bill repealing this law.

I also recommend reduction of maximum charges now permitted in our printing laws, thereby lessening the possibility of excessive charges and contracts.

This state has paid since January 1, 1905, for its printing (including about \$22,000, 1905 legislature) over \$75,000, which does not include the 1905 code, land department printing or promotion of immigration printing, and such other provided for by special appropriations.

PORTLAND EXHIBIT.

I recommend an appropriation of \$5,894.93 to balance overdraft and re-imburse those public spirited citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition. Of the \$50,000 appropriation previously made for St. Louis and Portland but about \$3,000 remained unexpended after all expenses connected with the St. Louis exposition had been paid. Recognizing the importance to North Dakota of being properly represented at the Portland exposition, I solicited a few of the enterprising citizens to advance funds until this session.

The following is a list of the names of and amounts contributed by such citizens:

H. R. Lyon, Mandan	\$100
David Bartlett, Cooperstown	100
J. D. Bacon, Grand Forks	100
William Budge, Grand Forks	100
W. N. Steele, Rolla	100
R. A. Fox, Towner	100
Andrew Gilberston, Towner	100
J. L. Cashel, Grafton	100
J. D. Brown, Hope	100
H. L. Holmes, Bathgate	100
J. F. Robertson, Steele	100
Ed Pierce, Sheldon	100
C. J. Lord, Cando	100
L. C. Pettibone, Dawson	100
J. B. Streeter, Larimore	100
M. H. Jewell, Bismarck	100
Albert Garnett, St. Thomas	100
T. W. McGill, 206 LaSalle Street, Chicago.....	100
M. A. Baldwin, Casselton	100
L. B. Hanna, Fargo	100
C. B. Little, Bismarck	100
W. L. Richard, Dickinson	100
Clay Larimore, Larimore	100

C. S. Edwards, Mayville	100
J. H. Ehlers, Harvey	100
V. B. Noble, Bottineau	100
C. L. Newhouse, Bottineau	100
J. E. Phelan, Dickinson	50
A. T. Crowl, Dickinson	50
V. H. Stickney	50
A. Hilliard, Dickinson	50
Morris Beck, Jamestown	50
John Knauf, Jamestown	50
J. W. Sifton, Jamestown	50
Oscar J. Seiler, Jamestown	50
F. B. Chapman, Buford	25
H. C. DeLaney, Williston	25
A. F. Nohle, Buford	25
Richard Dailey, Devils Lake	25
D. S. Bangs, Devils Lake	25
Fred Baker, Devils Lake	25
H. E. Baird, Devils Lake	25
C. M. Fisher, Devils Lake	25
Frank Whitman, Devils Lake	25
Ole Serungard, Devils Lake	25
H. M. Creel, Devils Lake	25
Miscellaneous collections	25

Total\$3,400

The entire cost of making the exhibit was only about \$9,000. Through the courtesy of a gentleman who desires his name withheld, the transportation charges for the exhibit and exhibitors were donated. Much credit is due Commissioner Warren N. Steele, who had charge of the exhibit, for the very efficient and economical results and most satisfactory attainments. As a consequence, the state received the highest award for agriculture, eighty-three gold medals, and grand prize for general excellence of North Dakota exhibit.

LAND DEPARTMENT.

Through years of experience it has been demonstrated that quite a few provisions of law pertaining to common schools and public institution lands need changing. I recommend that the public lands committees of the senate and house carefully consider the recommendations made by Land Commissioner Hegge and report to your honorable body. This is a very important department and requires the application of good, sound, business principles, that the best results may be attained. Important improvements in methods and systems have been made in this department during this administration, and with some changes of law other desirable results can be accomplished. One especially needed is a law to define specifically

what lands "bearing lignite coal" shall come under section 155 of the constitution, which states "the coal lands of the state shall never be sold, but the legislative assembly may by general laws provide for leasing the same." The words "coal lands" shall include *lands bearing lignite coal.*" This definition, in my opinion, is ambiguous and not sufficiently specific. Most of the state's public lands in the western part are affected by this clause.

The board of university and school lands adopted a resolution at its last meeting requesting this session to early pass a law conforming to the recent amendment of the constitution (section 162) relating to "investment of school funds," thereby permitting the immediate investment of funds on hand.

AUDITOR'S DEPARTMENT.

The advisability of a sub-voucher system similar to that of other states was deemed expedient during this administration, and a similar system to Minnesota's was decided upon. This system requires a receipt for all moneys paid out for the state, of sums amounting to \$1 or more, to accompany the bill rendered against the state, and as a result I am positive the state derives material benefit from the saving thereby accruing. I suggest a provision of law, if required, enforcing this system.

There is another change I recommend in the auditor's department, which will save the governor (who, under the present law is president of the state auditing board and must sign his approval to every bill rendered against the state) much time and unnecessary labor, and that is the adoption of the salary pay roll system used by Wisconsin, Minnesota, and many other states. This system would require the approval and signature of the governor but once each month for the salary list now requiring at least 75 to 100, and during legislative sessions several hundred more. There are no good reasons for continuing the present antiquated system.

I recommend the institutions of our state be authorized by law to install a uniform system of accounting, doing away with the cumbersome method of furnishing duplicate receipted bills as is now required, and the classification of accounts be made alike in all institutions, thereby giving a true basis for comparison. Under our present system such a comparison could not be had by using the statements or reports of the several institutions.

I believe the trustees of all the institutions in the state should receive the same per diem and the same expense money. At the present time some of the institution trustees receive \$3 per diem and 5 cents per mile to cover all expenses. Other institutions pay \$3 per diem and all necessary expenses.

I believe the law allowing public buildings to be insured for two-thirds of their value should be changed and the maximum amount be one-half of the value. I believe the rates for this insurance is high, considering the risk carried.

A law should be passed authorizing the state treasurer and the state auditor to transfer to the general fund of the state any balance in a fund created by a special levy, after the full purpose for which such special fund was created, had been accomplished. For instance, **where a tax is levied to pay an issue of bonds due**, after the issue of bonds had been paid, the balance accruing in that fund should be transferred to the general fund.

TREASURER'S OFFICE.

I recommend the repeal of S. B. 171, passed during the last session, and the adoption of an intelligent substitute. The present provision reads: "The state treasurer must execute an official bond in the sum of not less than \$500,000; which bond shall be paid by the state." Further comment would be a reflection upon your intelligence. There is apparently a conflict in the limit of the amount a surety bond can be issued for by any one company. (See law.)

I recommend also the adoption of Minnesota's system of non-coupon school bonds where purchased by the board of university and school lands for investment for institution and public school funds. Under the Minnesota system the interest is collected by the state treasurer issuing receipts annually to county treasurers for the various amounts, and the county treasurer charges them to the school treasurer. It is a very great improvement over the present cumbersome coupon system, according to the opinions of Minnesota's state auditor and state treasurer.

DEPARTMENT OF AGRICULTURE AND LABOR.

North Dakota is, practically, purely an agricultural state, comparatively new and rapidly developing. The department of agriculture and labor should be all that the name implies. Through it publicity should be disseminated in various ways, giving statistics and information concerning our advantages and resources in detail. Experience of other agricultural states, especially those of Illinois, Iowa, Wisconsin and Minnesota, has demonstrated that increase in real estate values is proportionate to increase in population. Therefore it is important we do all we consistently can to induce an increase in our population. This department prior to this administration has not been especially active. Two years ago the legislature appropriated \$20,000 for promotion of immigration. With this fund, during 1905, fine exhibits were made at the state fairs of Minnesota, Illinois and Indiana, besides distributing a great amount of literature and maps, and advertising in important daily papers of Minnesota, Illinois, Indiana, Ohio and Wisconsin. The same methods were followed during 1906, besides issuing a monthly illustrated magazine of several thousand copies each month, and giving prizes for the best article relating to each county by the local papers. I recommend the continuance of this appropriation, believing it to be for a worthy cause.

I wish to call your especial attention to the report of Dairy Commissioner Flint relative to the legal test for cream and his suggestions pertaining to cream and creameries and the request for another assistant. This department is very important. We should give the dairy interests more consideration and encouragement.

DEPARTMENT OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

The recommendations in Superintendent Stockwell's report merit especial notice. The revision of our school laws simplifying and eliminating the conflicting provisions is suggested. Increased appropriations for aid to high schools and aid for common and graded schools are entitled to favorable indorsement. This department is entitled to and very much needs increased appropriation for additional assistance, the present force being no larger than that of several years ago and inadequate to meet present requirements.

MISCELLANEOUS—UNORGANIZED TERRITORY.

I urge the compulsory organization of all unorganized territory in this state. There are many good reasons why this is desirable. All that part of the state west of the Missouri river is rapidly settling, and all school and other advantages permitted in organized counties are not available. For judicial purposes, all this vast country is now attached to Stark county, and the bills rendered against the state are such as to invite close scrutiny at least. A sheriff's bill, in one case alone, was recently presented amounting to \$1,500. Hettinger county, with an estimated population of 4,000 to 5,000, of whom 1,500 are of school age, desires organization and should have it. They unsuccessfully attempted to organize through interference from Stark county, so I am informed, and they desire this legislature to pass a law compelling organization similar to the law passed at the last session organizing McKenzie county. I hope you will give this your sincere consideration. During this administration the state has allowed about \$13,000, bills rendered in unorganized territory, and the following statement will show the revenues. Further comment is unnecessary.

JURISDICTION OVER UNORGANIZED COUNTIES.

Paid during 1905 and 1906 by state auditor	\$	12,360.14	
Paid out of the state general fund by Stark county during 1905 and 1906		2,781.62	
Total	\$		15,141.76
On file, not allowed, about			2,500.00
Total	\$		17,641.76
Total state tax collected 1905 and 1906	\$	11,430.00	

This amount covers all state levies, so the general fund only gets credit for 69 per cent of this, or \$7,886.70.

Thus, during 1905 and 1906 the jurisdiction over unorganized counties has cost the state \$4,483.44 more, besides \$2,500 on file and unpaid, than the unorganized territory has paid to the general fund of the state.

STATE BOARD OF CONTROL.

I feel satisfied the state board of control system, including our penal and charitable institutions, would be valuable to this state in various ways. We have about 1,000 persons now in our charge and keeping, viz.: About 500 at the Jamestown asylum, 250 at the Bismarck penitentiary, 35 at the reform school, 125 at the feeble-minded institute at Grafton, and should the deaf and dumb institute at Devils Lake be included, and in my opinion it certainly should be, 65 more, besides those who will be in the blind asylum now in the course of construction. Wisconsin has had a board of control for sixteen years, and Governor LaFollette told me it had saved the state hundreds of thousands of dollars. Under our present system there is, in my opinion, entirely too much buying at local retail prices and too great a tendency to local dictation of management. I am fully satisfied a competent board of control, giving, as in Wisconsin, all their time to their duties, would be an absolute benefit to our state and its penal and charitable institutions, and also a board of regents for our educational institutions would be a decided improvement over our present system.

UNIFORM MARRIAGE AND DIVORCE LAWS.

Through a national association it has been recommended that the various states adopt uniform laws governing marriage and divorce. This recommendation is worthy of your serious consideration.

LIFE INSURANCE.

The passage of laws recommended by the committee appointed by the National Association of Governors, Attorneys General and State Insurance Commissioners, for the regulation of life insurance companies doing business in this state, is most important and merits your perusal. I recommend their adoption at this session.

DRAINAGE.

I called the attention of the last assembly to the necessity of changing our laws pertaining to drainage, as the present laws did not meet existing conditions, were cumbersome and too expensive in their enforcement. I think this subject has been sufficiently agitated and discussed, so that beneficial results will accrue before the adjournment of this session and laws passed greatly improving the present system and *modus operandi*. I am sure that the members from the Red River valley will actively interest themselves in this subject.

STATE FAIRS.

Two state fairs have been held under the provisions of the law passed during the last session, viz., at Grand Forks and Fargo. I think the appropriations should be increased. The permanent improvements made at Fargo are worthy of especially favorable comment, and the attendance demonstrated the appreciation of the people. We should aim to gradually enlarge and increase our permanent facilities until our state fairs attain popularity and efficiency similar to those of Minnesota. I believe that an appropriation of at least \$5,000 annually should be made for buildings.

JAMESTOWN, VIRGINIA, EXPOSITION.

Another exposition of national importance and where North Dakota should be properly represented is to be held at Jamestown, Virginia. One of our former enterprising and public-spirited citizens, Mr. Charles A. Everhart, of Fargo, informs me he has bought a lot and erected a creditable building which he tenders to North Dakota for its use. If this state concludes to make an exhibition there, I believe his generosity should be recognized by making him one of North Dakota's commissioners.

ANTI-TRUST LAW.

H. B. No. 178, 1905, Anti-trust Law, is an exact copy of a law declared unconstitutional by the Supreme Court of the United States because of section 10 (Sec. 9238, 1905 Code), viz.: "The provisions of this law shall not apply to agricultural products or live stock while in the hands of the producer or raiser." The provisions of this bill are of great importance to this state and I recommend the repeal of section 10 (Section 9238 of the Revised Codes of 1905), that it may be operative and effective.

UNIVERSITY OF NORTH DAKOTA.

Through the untiring efforts of President Merrifield, Mr. Andrew Carnegie donated the munificent sum of \$30,000 for the erection of a library building at the university. A like amount appropriated by the state is recommended, that a suitable library and administration building may be erected for the demands of the present and future.

The university board, after consulting the emergency board, made much needed changes and repairs to the main building, expending over \$18,000. I recommend an appropriation to cover this expenditure. The sanitary and other conditions made the improvements imperative.

I believe the preparatory and normal departments of our state university should be discontinued, and the university be purely as the name implies.

PURE FOOD.

An increased appropriation for the enforcement of the pure food law, pure drug and pure paint laws, is urged. Professor Ladd's efficiency is handicapped by lack of sufficient funds, and his arduous labors and untiring efforts in enforcing the provisions of these laws entitle him to due and proper consideration.

PRIMARY ELECTION.

The republican convention at Jamestown passed a resolution favoring the adoption by this state of a primary election law covering all offices and recommending United States senators. That such a law is in accordance with the wishes of a majority of the people is apparent. If possible, eliminate the objectionable features the experience of other states has discovered, and give to North Dakota as full, complete and comprehensive a measure as your best motives, good integrity and superior intelligence can conceive.

REAL ESTATE MORTGAGE FORECLOSURE.

I believe that portion of the present law permitting foreclosure of mortgages on real estate by publication should in addition to the publication require notice upon some party interested as owner, guardian, trustee, or other person in interest when possible, to avoid the possibility of holders of mortgages obtaining title secretly, as is possible at present in some remote districts, by advertising in papers with small circulation.

MILL TAX CHANGE.

The portion of the mill tax fund now as apportioned should, in my opinion, be revised. The deaf and dumb school at Devils Lake with but 65 pupils receives more than the Valley City Normal school and apparently more than can be legitimately utilized in regular channels. During 1906, the deaf and dumb school board entered into a contract with a nursery concern for some \$7,000, for landscape gardening and beautifying grounds, authorizing payment from mill tax fund. When the state can afford such luxurious improvements, it is proper for the institution boards to make direct application to the legislature and the legislature to appropriate accordingly. The deaf and dumb school board exceeded their authority, as the mill tax is for "maintenance" only.

RECIPROCAL DEMURRAGE.

The car situation of the past several months has conclusively demonstrated the necessity of adopting some provisions tending to regulate, if possible, and preventing the recurrence of such con-

ditions, and I trust that you will give this subject the consideration its importance justifies. Public service corporations should attempt what the name implies or pull down their signs, and the people through its legislative assembly are fully justified in adopting reciprocal provisions of law requiring more efficient service. This is a topic about which much can be said pro and con, but I think a few words to you will suffice and bring as good results as a lengthy sermon. We want practical results, not theoretical ideas.

STATE INSTITUTIONS.

I recommend for your careful perusal the reports of the various state institutions. Much valuable information and important suggestions are contained therein.

The appropriation for school of science at Wahpeton made last session was vetoed. The board since made a contract for the grounds (ten acres) and building of the Methodist college at Wahpeton for \$20,000, \$5,000 being paid out of their interest and income fund. The property purchased is worth at least \$50,000, is well located and very desirable. I recommend an appropriation to complete the payments.

The appropriation made last session for the school of forestry at Bottineau was vetoed. The local board have since purchased a most appropriate location and erected a two-story frame building and opened their school this fall. This part of the state is without educational advantages other than the common and local high schools. I recommend an appropriation for permanent school of forestry facilities.

Normal School at Mayville. The appropriation made last session for permanent improvements at Mayville normal school was inadequate to complete the building, and I recommend an appropriation to cover the deficiency, amounting to about \$9,000.

Normal School at Minot. The rapid increase in population in the northwestern part of the state and the lack of accessible educational institutions teaching the higher branches induces me to submit for your consideration the advisability of your providing another normal school at Minot. I believe this section of the state is entitled to better educational advantages.

Blind Asylum. The appropriation made for the erection of blind asylum building, \$25,000, was only sufficient to enclose the building. An appropriation will be necessary to complete the same and for proper maintenance.

Penitentiary. The maximum capacity of the penitentiary was 160. During this administration, the enrollment was increased to 256, and the penitentiary board appealed to the emergency board to provide relief, which was furnished. A total of \$31,000 was allowed for permanent improvements which were considered imperative. As a pure business proposition, I recommend doub-

ling the present capacity of the twine plant, which can be done by using some of their net earnings and without additional appropriation. The results of the past four years (net profit of \$160,000) fully justify this recommendation. I call your especial attention to the report of the board of trustees and warden giving full details of its operation.

MILITIA.

Under the Act of January 21, 1903, and subsequent amendments, the National Guard of this state receives annually from the general government \$15,958.16, and in addition to this received an appropriation of \$20,000 for the transportation of the troops of the National Guard of this state to Camp Islay, Wyoming, where the original militia of our state were associated in field maneuvers with the different arms of the service in the regular army, and the report from the war department shows that the National Guard of this state acquitted themselves with honor and credit to the state, the Chief Umpire reporting that at least 90 per cent of our forces would be immediately available for active service on the same footing with the regular army.

No state can properly maintain a National Guard without an armory for each company. There are only two companies in the state that have armories. Nor will the war department continue their generous appropriations unless necessary steps are taken to secure armories for the National Guard of this state. The present system of renting small and insufficient buildings for armories at a rental of \$500 per annum results not only in financial loss to the state, but the arms and equipments, property of the general government issued to the state, are rapidly deteriorating, and in some cases ruined, on account of the lack of armory facilities.

The standard of the National Guards of the states required by the Act of January 21, 1903, commonly known as the Dick Bill, is much higher, and five years from the passage of the bill, or January 21, 1908, the guard will be subjected to a final and rigid examination by officers of the regular army with a view to ascertain whether they have attained the approximate standard to the regular army determined by the war department.

All possible means have been employed during my administration to the betterment of the National Guard of this state that they might successfully pass this final examination, and I am glad to say with a marked degree of success.

This state cannot afford to lose the appropriations from the general government, which in all probability will be increased in the future in proportion to the efficiency of the guards.

The military encampment grounds consisting of about 2,000 acres on the north shore of Devils Lake, reached now by two railroads, donated to the state by the federal government, constitutes a magnificent place for encampment and field maneuvers of

troops, with a large area of vacant land on the south shore of the lake connected with these grounds by a solid bridge, would furnish an ideal place for a provisional camp of field instruction for the regular army. The state has failed to appropriate any money to improve these grounds, which is an implied part of their duty when they accepted same. I would recommend that a liberal appropriation be made to this end.

PROHIBITION.

During this administration about \$15,000 has been paid under the law providing for the conviction of violators of the prohibition laws. This amount is three times as much as paid out during the biennial period preceding. Yet, the president of the W. C. T. U. has made severe, and in my opinion, unjust criticism, claiming violators of the prohibition law are not properly prosecuted.

During my term of office I had the attorney general direct the various state's attorney's to prosecute fully and vigorously all violators of the prohibition laws.

I recommend that the reward for the conviction of violators of this law be double, making it \$100, instead of \$50, thereby making it the same as the reward now in force for the conviction of horse thieves.

REPEAL.

The "Weather and Crop Service" and appropriation for "Clerk Weather Bureau" should be repealed. The government disapproves of the appropriations and notified us accordingly.

TAXATION.

COUNTY ASSESSORS.

At a meeting of the county auditor's recently held, a resolution was adopted favoring county assessor's instead of present system. I believe the change would be of great benefit for many reasons.

CONCLUSION.

In conclusion, gentlemen, I desire to commend the welfare of the state to your prudence, wisdom and deliberation. Yours is a high trust from the people and should be well kept. The state is prosperous, its harvest have been abundant, and how best to conserve and enhance that prosperity by wise legislation should be your constant care.

FINANCIAL STATEMENT

GENERAL FUND

JANUARY 1, 1905, TO JANUARY 1, 1907.

Balance January 1, 1905	\$	81,843.08	
Received from—			
Taxes		1,192,839.95	
Issue of bonds		150,000.00	
Commissioner of Insurance, fees		159,392.53	
Secretary of State, fees		25,824.88	
Secretary of state, incorporation tax		38,908.75	
Oil inspector, fees		28,302.95	
University and school lands, fees		31,386.00	
Interest on public funds		48,488.92	
State examiner, fees		10,585.00	
Commissioner of agriculture and labor, fees		2,874.25	
Clerk supreme court, fees		2,356.10	
Elevator licenses		8,766.00	
Hunting permits		4,318.88	
Trolley line		3,993.55	
Refunds		1,065.02	
Assistant dairy commissioner, fees		1,250.00	
Board of veterinary medical examiners, fees		478.15	
Chief veterinarian, fees		311.73	
Promotion of immigration, fees		379.00	
Promotion of immigration		113.00	
Fire loss agricultural college		384.25	
Fire loss, hospital for insane		198.72	
Fire loss, power house		248.50	
Money in possession deceased convicts		62.32	
Transfers		19,308.15	
Various sources to the credit of—			
Hospital for Insane		27,872.90	
Penitentiary		7,812.89	
Portland exposition		3,410.32	
School for Deaf		1,560.34	
Feeble Minded Institution		1,311.49	
Historical Society		1,000.00	
Industrial School		559.40	
Maintenance capitol		540.35	
Dipping tanks		62.80	
Care of the blind		50.42	
Scientific School		10.00	
Clerk hire Secretary of State		210.00	
Blind Asylum		457.90	
Warrants issued January 1, 1905 to January 1, 1907.			\$ 1,804,409.41
Balance January 1, 1907			54,129.98
Total	\$	1,858,539.39	\$ 1,858,539.39

WARRANTS ISSUED.

January 1, 1905, to January 1, 1907.

	Total Credits	Total Paid Out	Balance
Governor's salary	\$ 6,000.00	\$ 6,000.00	
Salary Lieutenant Governor	2,000.00	1,916.59	\$ 83.41
Clerk hire Governor	6,277.67	6,106.59	171.08
Salary Secretary of State	4,000.00	4,000.00	
Clerk hire Secretary of State	8,870.00	8,870.00	
Salary State Auditor	4,000.00	4,000.00	
Clerk hire State Auditor	11,400.00	10,768.51	731.49
Salary State Treasurer	4,000.00	4,000.00	
Clerk hire State Treasurer	10,000.00	10,012.31	*12.31
Salary Commissioner of Insurance	4,000.00	4,000.00	
Clerk hire Commissioner of Insurance	7,200.00	7,200.00	
Salary Attorney General	4,000.00	3,833.21	166.79
Salary Superintendent Public Instruction	4,000.00	4,000.00	
Clerk hire Superintendent Public Instruction	8,000.00	8,000.00	
Salary Commissioner Agriculture and Labor	4,000.00	4,000.00	
Clerk hire Commissioner Agriculture and Labor	5,400.00	5,385.00	15.00
Salary Adjutant General	3,433.32	3,433.32	
Clerk hire and expense Adjutant General	2,151.44	1,895.77	225.67
Clerk hire Attorney General	8,300.10	7,315.66	984.44
Salary Judge Supreme Court, D. E. M.	8,000.00	7,999.93	.07
Salary Judge Supreme Court, N. C. Y.	10,000.00	9,791.51	208.49
Salary Judge Supreme Court, E. E. C.	10,000.00	9,999.84	.16
Expense Judge Supreme Court, D. E. M.	2,400.00	2,400.00	
Salary clerk Supreme Court	3,000.00	3,000.00	
Salary Supreme Court Reporter	3,000.00	2,625.00	375.00
Salary stenographer Supreme Court	1,515.00	1,260.92	254.08
Salary marshal Supreme Court	Unlimited	569.50	
Salary judge District Court, C. J. F.	7,000.00	7,000.00	
Salary judge District Court, J. F. C.	7,000.00	6,708.22	291.78
Salary judge District Court, C. A. P.	7,000.00	6,708.30	291.70
Salary judge District Court, F. P. A.	7,291.82	7,000.08	291.74
Salary judge District Court, E. T. B.	7,000.00	6,708.29	291.71
Salary judge District Court, W. H. W.	7,000.00	7,000.00	
Salary judge District Court, W. J. K.	7,000.00	6,708.18	291.82
Salary judge District Court, E. B. G.	7,000.00	6,708.37	291.63
Salary Railroad Commissioners, C. S. D.	2,800.00	2,500.00	300.00
Salary Railroad Commissioners, E. S.	2,400.00	2,300.00	100.00
Salary Railroad Commissioners, J. C.	2,400.00	2,100.00	300.00
Salary Railroad Commissioners, C. C. H.	2,000.00	1,750.00	250.00
Traveling expense, Railroad Commissioners	1,900.00	1,557.45	342.55
Office expense Railroad Commissioners	1,246.60	1,107.03	139.57
Salary State Examiner, D. N. B.	4,211.32	3,999.85	211.47
Salary Deputy State Examiner, W. A. D.	3,600.00	3,600.00	
Salary Assistant Deputy State Examiner, N. Hoge	3,000.00	2,084.00	916.00
Expense State Examiner, D. K. B.	Unlimited	1,107.56	
Expense Deputy State Examiner	Unlimited	1,590.66	
Expense Assistant Deputy State Examiner	Unlimited	326.20	
Salary Dairy and Food Commissioner, R. F. F.	2,300.00	2,000.00	300.00
Expense Dairy and Food Commissioner, R. F. F.	1,068.38	1,174.31	105.93
Salary State Librarian	2,000.00	1,999.92	.08
Salary Superintendent State Board of Health	2,400.00	2,100.00	300.00
Expense Superintendent State Board of Health	4,275.30	2,118.62	2,156.68
Salary District Veterinary, Geo. Fitz.	1,200.00	1,150.00	50.00
Salary District Veterinary, D. D. Mc.	1,200.00	1,050.00	150.00
Salary District Veterinary, T. D. H.	1,200.00	1,150.00	50.00
Salary District Veterinary, S. W. T.	1,200.00	1,150.00	50.00
Salary District Veterinary, L. C. L. M.	1,200.00	1,150.00	50.00
Salary District Veterinary, Wm. M.	1,200.00	1,150.00	50.00
Salary District Veterinary, A. F. E.	1,200.00	1,150.00	50.00
Salary District Veterinary, I. L. J.	1,200.00	780.00	420.00
Salary District Veterinary, T. Sims.	1,200.00	950.00	250.00

*Overdraft.

WARRANTS ISSUED—Continued.

	Total Credits	Total Paid Out	Balance
Salary District Veterinary, F. W. T.....	1,200.00	1,100.00	100.00
Clerk hire Supreme Court.....	2,400.00	2,273.33	126.67
Expense Chief Veterinary.....	1,248.72	947.43	301.29
Consultation District Veterinary.....	Unlimited	178.40	
Legal expense Attorney General.....	Unlimited	276.35	
Expense Clerk Supreme Court.....	Unlimited	185.09	
Maintenance capitol	53,967.70	66,527.37	12,559.67
Expense state militia	36,489.95	31,262.32	5,227.62
Expense Supreme Court.....	Unlimited	1,494.64	
Expense Board University and School lands	54,216.94	27,359.84	26,857.10
Advertising and expense leasing Univer- sity and School lands	5,828.29	2,318.18	3,510.11
Appraisal and sale University and School lands	22,215.69	21,927.35	288.34
Fees selecting University and School lands	456.35	10.00	446.35
Selling Indian lands	1,177.90	1,032.95	144.93
Traveling expense Superintendent Public Instruction	2,002.15	1,838.60	163.55
Conducting teachers' institute	Unlimited	4,100.00	
Lecture teachers' institute	Unlimited	2,148.59	
State aid high schools	50,755.54	49,847.67	907.87
Transportation patients Blind Asylum....	50.42		50.42
Transportation patients Hospital Insane..	Unlimited	17,326.14	
Transportation convicts Penitentiary	Unlimited	11,337.62	
Transportation convicts Reform School...	Unlimited	1,295.12	
P. D. T. Agricultural College.....	Unlimited	2,155.40	
P. D. T. Blind Asylum.....	Unlimited	492.65	
P. D. T. Hospital Insane.....	Unlimited	1,123.52	
P. D. T. Industrial School.....	Unlimited	647.70	
P. D. T. Board of Managers Mayville Normal School	Unlimited	1,532.06	
P. D. T. Board of Managers Valley City Normal School	Unlimited	849.39	
P. D. T. Board of Managers Normal Schools	Unlimited	600.20	
P. D. T. State Penitentiary	Unlimited	2,180.70	
P. D. T. Reform School.....	Unlimited	1,112.78	
P. D. T. School for Deaf.....	Unlimited	938.30	
P. D. T. Feeble Minded.....	Unlimited	1,556.75	
P. D. T. School of Forestry	Unlimited	201.50	
P. D. T. Soldiers' Home	Unlimited	798.45	
P. D. T. State University	Unlimited	1,062.05	
P. D. T. Scientific School	Unlimited	691.27	
Public Printing	40,536.76	49,241.53	*8,704.77
Salary Oil Inspector	1,875.00	1,666.64	208.36
Salary Deputy Oil Inspector, A. F. W.			
Salary Deputy Oil Inspector, J. M. J.			
Salary Deputy Oil Inspector, R. T. H.			
Salary Deputy Oil Inspector, E. M. J.			
Salary Deputy Oil Inspector, W. A. H.	1,350.00	1,002.50	247.50
Salary Deputy Oil Inspector, P. J. A.			
Salary Deputy Oil Inspector, Chas. Drew			
Salary Deputy Oil Inspector, R. W. D.]			
Jurisdiction unorganized counties	Unlimited	12,359.94	
Insurance public buildings.....	Unlimited	24,617.18	
St. Louis and Portland expositions.....	8,469.45	10,964.38	*2,494.92
Presidential electors	Unlimited	279.00	
Books educational library	1,138.80	988.90	149.90
Books law library	2,010.00	1,602.18	19.92
		*387.89	
Books traveling library	2,129.52	1,750.04	379.48
List of new taxable lands	Unlimited	1,397.45	
R. A. C. prohibition law.....	Unlimited	14,500.00	
Arrest and conviction horse thieves.....	Unlimited	2,000.00	
Arrest and return fugitives from justice..	Unlimited	3,531.01	
Promotion irrigation	12,000.00	11,092.51	907.49
Irrigation expense (reimb.)	2,000.00	1,993.18	6.82
Geographical survey State University....	2,000.00	2,000.00	
Geographical survey Agricultural College.	2,000.00	2,000.00	
Purchase Cochran law library	10,000.00	10,000.00	
North Dakota Aid Firemen's Association..	3,000.00	3,000.00	

*Overdraft.

WARRANTS ISSUED—Continued.

	Total Credits	Total Paid Out	Balance
Flags public buildings	Unlimited	79.92	
Services Campbell & Sanders	500.00	500.00	
Burial deceased soldiers	Unlimited	636.00	
Burial deceased convicts	Unlimited	290.78	
Erection headstones deceased soldiers....	Unlimited	88.60	
Fire loss Agricultural College.....	384.25	384.25	
Weather and crop service	1,411.84	1,303.40	108.44
Refund elevator licenses	3.00	3.00	
State Fair Grand Forks and Fargo.....	30,000.00	30,000.00	
Expense farmers' institute	14,490.68	7,433.65	7,057.03
Clerk hire Weather Bureau office	1,200.00	450.00	750.00
Clerk hire State Examiner	2,000.00	1,591.61	408.39
Salary Deputy State Examiner, T. H. P..	3,600.00	3,150.00	450.00
Salary Deputy State Examiner, G. J.....	3,600.00	3,150.00	450.00
Defense Professor Ladd	1,500.00	336.89	1,163.11
Two per cent insurance premium fire de- partments	20,917.65	20,917.65	
Outbreak contagious diseases	Unlimited	896.50	
Salary member Wisconsin Grain Inspec- tion Board		362.50	
Sewer fund Normal School, Mayville....	2,000.00	1,999.80	.20
Premium on State Treasurer's bond	934.54	934.54	
Honorary and service medals State Mili- tia	100.00	94.50	5.50
Enforcement pure food law	6,070.69	5,316.82	753.87
Expense Board of Pardons.....	1,023.49	445.19	578.30
Dickinson experiment station	10,000.00	9,054.84	945.16
Edgeley experiment station	10,000.00	10,000.00	
Interest on public funds	Unlimited	239.25	
Printing revised codes 1905.....	9,500.00	6,750.00	2,750.00
State dipping tanks	10,009.50	7,240.21	2,769.29
Promotion immigration	20,420.31	18,185.80	1,234.51
Redemption state bonds N. D. revenue ..	Unlimited	7,679.41	
Expense Board of Veterinary Medical Ex- aminers	452.90	520.10	*67.20
Contingency fund, Governor	738.00	432.13	305.87
Expense Board of Equalization	Unlimited	45.00	
Acting judge—costs against state.....	Unlimited	61.05	
Salary District Veterinary, F. W. Weston.	Unlimited	337.50	
Salary District Veterinary, J. W. Robin- son	1,090.00	1,050.00	40.00
Salary Dept. Dakota Veterinary Inspec- tor	Unlimited	1,027.45	
North Dakota Historical Society.....	4,500.00	4,372.73	127.27
Building fund Agricultural laboratory....	50,000.00	50,000.00	
Building fund Blind Asylum	25,457.90	25,457.90	
Building fund Normal School, Mayville..	45,000.00	45,000.00	
Building fund Normal School, Valley City	42,695.00	42,694.98	.02
Building fund and management School Science	7,010.00	19,052.72	*12,042.72
Deficits of state institutions	154,400.00	152,542.42	1,857.58
Care of the blind	Unlimited	5,893.08	
School for Deaf (collection account)....	7,508.48	4,607.49	2,900.99
Maintenance Feeble Minded	69,787.03	61,620.57	8,166.46
Maintenance Hospital for Insane.....	266,109.31	266,565.15	*455.84
Maintenance Indian School	50,827.52	39,868.98	10,958.54
Maintenance Penitentiary	134,812.89	130,770.95	4,041.94
Maintenance Reform School	14,746.64	13,013.44	1,733.20
Maintenance Soldiers' Home	23,041.02	21,038.37	2,002.65
Mileage and per diem member Ninth Leg- islative Assembly	Unlimited	49,007.30	
Per diem officers and employes Ninth Leg- islative Assembly	Unlimited	31,996.00	
Expense Ninth Legislative Assembly.....	Unlimited	36,001.79	
Publishing constitutional amendments....		523.25	
Total appropriations (plus credits).	\$1,616,002.77		
Total payments (against general fund)		\$1,799,752.31	
Total balance of appropriation accounts...			\$115,770.09
Total payments out of unlimited ap- propriations		251,728.55	
Total appropriations effective since January, 1905, less credits ac- count of collections, etc., trans- fers, Emergency Board appro- priation		1,479,099.59	

*Overdraft.

ST. LOUIS AND PORTLAND EXPOSITIONS.

RECEIPTS.

January 1, 1905,	Balance of \$50,000 appropriation for St. Louis exposition.	\$ 5,059.13
May 2, 1905,	E. Y. Sarles	1,000.00
4, 1905,	E. Y. Sarles	100.00
25, 1905,	E. Y. Sarles	200.00
25, 1905,	E. Y. Sarles	100.00
26, 1905,	E. Y. Sarles	100.00
June 3, 1905,	E. Y. Sarles	100.00
10, 1905,	E. Y. Sarles	100.00
30, 1905,	E. Y. Sarles	300.00
August 10, 1905,	E. Y. Sarles	200.00
24, 1905,	E. Y. Sarles	700.00
24, 1905,	E. Y. Sarles	100.00
Sept'b'r 20, 1905,	E. Y. Sarles	400.00
Nov'm'r 4, 1905,	E. Y. Sarles	10.32
Total credits Jan. 1, 1905, to Jan. 1, 1907.....		\$ 8,469.45
Total payments Jan. 1, 1905, to Jan. 1, 1907.....		*10,964.38
Overdraft Portland exposition fund, Jan. 1, 1907.....		\$ 2,494.93

*Of this total approximately \$1,700 was paid on account of St. Louis exposition.

TUITION FUND.

Statement showing total apportionment of school fund.
1903.

Interest and income common schools.....	\$ 282,240.55	
Fines, penalties and forfeitures.....	10,624.47	
Total apportionment		\$ 292,865.02
1904.		
Interest and income common schools	\$ 293,050.83	
Fines, penalties and forfeitures	3,476.31	
Total apportionment		296,527.14
1905.		
Interest and income common schools.....	\$ 400,233.56	
Fines, penalties and forfeitures	9,926.68	
Total apportionment		410,160.24
1906.		
Interest and income common schools	\$ 480,607.57	
Fines, penalties and forfeitures	15,637.66	
Total apportionment		496,245.23

STATEMENT

State Bonded Indebtedness.

\$22,700 4 per cent university, refunding, dated May 1, 1899, payable May 1, 1919.
 \$113,000 4 per cent refunding bonds, dated May 15, 1890, payable May 15, 1920.
 \$106,000 4 per cent bonds, funding territorial indebtedness, dated March 20, 1891, payable March 20, 1921.
 \$20,000 4 per cent refunding bonds, dated August 1, 1891, payable August 1, 1911.
 \$50,000 4 per cent refunding, construction Hospital for Insane bonds, dated July 1, 1894, payable July 1, 1914.
 \$50,000 4 per cent capitol building bonds, dated July 1, 1893, payable July 1, 1923.
 \$14,600 4 per cent refunding, Penitentiary improvement bonds, dated July 1, 1895, payable July 1, 1915.
 \$24,000 4 per cent refunding University deficiency bonds, dated July 1, 1895, payable July 1, 1915.
 \$63,000 4 per cent bonds, refunding capitol building warrants, dated May 1, 1897, payable May 1, 1927.
 \$29,000 4 per cent refunding, Penitentiary bonds, dated May 1, 1897, payable May 1, 1927.
 \$20,000 4 per cent refunding University bonds, dated May 1, 1897, payable May 1, 1927.
 \$150,000 4 per cent revenue bonds, issued to defray extraordinary expenditures of the state government, dated July 1, 1905, payable July 1, 1925.
 \$30,000 4 per cent refunding, University construction bonds, dated July 1, 1893, payable July 1, 1923.

STATEMENT

Bonded Indebtedness of the State Institutions.

\$50,000 4 per cent State University and School of Mines, dated July 1, 1901, payable July 1, 1921.
 \$50,000 4 per cent Agricultural College, sewerage and improvement bonds, dated May 11, 1901, payable May 11, 1921.

\$50,000 4 per cent Hospital for Insane, building and improvement bonds, dated June 1, 1899, payable June 1, 1919.

\$20,000 4 per cent Soldiers' Home, funding bonds, dated July 1, 1899, payable July 1, 1929.

\$20,000 4 per cent Reform School, construction and equipment bonds, dated September 1, 1901, payable September 1, 1921.

\$100,000 4 per cent Capitol building bonds, dated July 1, 1903, payable July 1, 1923.

\$20,000 6 per cent Mayville Normal School bonds, dated September 1, 1891, payable September 1, 1911.

\$20,000 6 per cent Valley City Normal School bonds, dated September 1, 1891, payable September 1, 1911.

\$15,000 5 per cent Industrial School bonds, dated Feb. 21, 1898, payable, 1923.

TWINE FACTORY BONDS.

\$75,000 4 per cent Twine and Cordage plant, funding and operating bonds, dated May 1, 1901, payable May 1, 1921.

\$94,000 4 per cent Twine and Cordage plant, funding and operating bonds, dated May 1, 1901, payable May 1, 1911.

STATEMENT OF TOTALS.

State bonded indebtedness.....	\$	692,300.00	
Institutional bonded indebtedness		345,000.00	
Twine factory bonded indebtedness		169,000.00	
Grand total			\$ 1,206,300.00

Hon. D. E. Morgan, chief justice of the supreme court of North Dakota, administered the oath of office to Governor-Elect John Burke.

To the Senate and House of Representatives:

The constitution makes it my duty to recommend to you at this time, at the outset of your labors, such measures as I may deem expedient, and, in accordance therewith, I recommend:

PRIMARY ELECTION LAW.

The enactment of a primary election law, or an amendment to the present primary election law, so as to make it apply to all elective officers in both state and county.

More than two years ago the people of this state, through their different political parties, demanded the enactment of a primary election law and two years ago the legislative assembly, at the 1905 session, did pass a primary election law; but, because of the fact that it did not apply to state and judicial officers, it wholly failed to meet the demands of the electors, who again, in the summer of 1906, demanded in their different political conventions a primary election law, applicable alike to all elective officers.

A resolution favoring the enactment of such a primary election law was adopted in both the democratic and republican state conventions and each party went before the people of this state, pledged to enact such primary election law. In view of the almost unanimous sentiment in favor of a primary election law in this state, it is our plain, simple duty at this session to give the people a primary election law that will enable them to go to the polls on primary election day and vote for the nomination of all elective state and county officers.

NON-PARTISAN JUDICIARY AND SCHOOLS.

In this connection I might also call your attention to the growing sentiment in this state in favor of a non-partisan judiciary and school officers. One of the political parties recommended in its platform that the names of judges of the supreme and district courts, the name of the state superintendent and of the county superintendents of schools be placed upon the ballot without party designation and the election for such officers be held at a different time than that upon which the general election is held. The state superintendent, in his recent biennial report, has made a similar recommendation in reference to county superintendents. The purpose of such a law would be to take the judiciary and the schools out of politics and no such position would then come to any one as a reward for political services, but rather on account of special fitness and qualifications, and believing, as I do, that the enactment of such a law is in the interests of both judiciary and the school, I therefore heartily recommend it to your most careful and conscientious consideration.

PURE FOOD LAW

I call your attention to the necessity of amending the pure food law, viz: Chapter 11 of the Session Laws of 1905.

Since the passage of this law your pure food commissioner, Prof. Ladd, of the Agricultural college, discovered that certain packages or cans containing food were short in weight, and, while the subject matter of the law was broad enough to cover such a contingency, it was not expressed in the title, and therefore it is possible that the act, insofar as it relates to short weights, is unconstitutional, and I therefore recommend to you the reenactment of the law, with an amended title which clearly expresses all of the subject matter of the act, including short weights. This I regard as one of the most wholesome laws and I take this opportunity for commending the faithful and efficient efforts of Pure Food Commissioner Ladd in the enforcement of this law under great disadvantages and an insufficient appropriation. And I further recommend a more liberal appropriation, in order that the valuable services of Prof. Ladd may be retained by the state, and the law strictly enforced.

THE SCHOOL LAWS

need revision. The state superintendent in his second biennial report, calls attention to the necessity of revising the school laws, and states that it has been tinkered with so much that it is very difficult to tell what the law is. There is a great deal too much of it and there are parts of it that conflict with other parts. It ought to be revised and simplified.

The special district, the independent district, and the general school district should be governed and regulated by the same gen-

eral laws. There is no necessity for different laws, except for their organization. A revision with this end in view would simplify the law, cut it down to one-third its length and make it definite and certain. And, while I am upon this subject I recommend that all legislation which you enact be simplified by using simple language, incapable of more than one construction.

GOVERNOR SARLES

who has possession of the facts and figures, has given you the financial standing of the state and the condition of our different state institutions. The people of the state are justly proud of these institutions, and it will be your duty, as the representatives of the people, to appropriate such sums of money as will properly maintain them, and such further sums as may be necessary for repair and improvement, consistent with the financial condition of the state.

REAPPORTIONMENT.

The constitution provides that the senate shall be composed of not less than thirty nor more than fifty members, and the house of representatives of not less than sixty nor more than one hundred and forty members. At the time of the last apportionment our population was largely in the eastern part of the state, since which time the central and western parts of the state have increased in population, so as to be almost without representation in the legislative assembly, when compared with the legislative districts in the eastern part of the state, while at the same time, we have almost reached the constitutional limitation. For comparison, I call your attention to the county of Cass, with three legislative districts, represented by three senators and nine representatives, while the counties of Ward and Williams, are in one legislative district, represented by one senator and three representatives. The county of Ward is the most populous county in the state and Williams county, one of the largest in the state, is almost as thickly populated as Ward, in proportion to its size, and yet, these counties have only one-third the representation in the legislative assembly that Cass has. I mention these counties only for comparison. The same is largely true of all the eastern districts as compared with the western districts. From this condition it must appear to you that, in order to have a fair representation from each part of the state, to the end that no part may have an advantage over any other part of the state, this legislative assembly should, at this session, redistrict the state and apportion the senators and representatives so as to give to all parts of the state representation as nearly equal as possible. In view of the constitutional limitation before referred to, and the wonderful increase and growth of population of the state and its still greater possibilities, I recommend that the representation be equalized by cutting down the representation in the

eastern part of the state, or wherever it may be necessary, and by increasing the representation in the western part of the state. It is only a question of time when the growth in population of the state will make this necessary, and it might as well be done at this time and save the expense of increased representation in the legislature. It will require a sacrifice on the part of the members of the eastern districts; some of them will necessarily lose their seats in future sessions, but I feel that you are all unselfish and patriotic enough to do that which is best for the entire state.

PUBLIC PRINTING.

I am informed that, since the passage of chapter 125 of the laws of 1899, the same being section 2382 of the Revised Codes of 1905, the county printing has cost 40 per cent more than before the passage of such law. This you should inquire into, and, if found to be true, the law should be repealed, or you should enact a law fixing a maximum rate for public printing—fair and just compensation for the services rendered, and no more.

ANTI-PASS LEGISLATION.

The congress of the United States recently passed a law known as the "Rate Bill," for the purpose of regulating the commerce between states. This law, as you know, does not apply to your local conditions, for congress only has the power to regulate commerce between the states, the power to regulate local traffic being reserved to the states. In this "Rate Bill" there is a provision that a railroad company shall not give free transportation or passes to anyone except persons in the actual employ of the railroad company. The wisest and best statesmen that we have must have considered that such a provision was necessary in the inter-state commerce bill, and yet, on account of the constitutional provision referred to, it will be practically useless, unless supplemented by state legislation. While the railroad companies cannot give passes or transportation from a place in one state to a place in another state, they can give transportation or passes good within the state, because that is not inter-state commerce and cannot be a violation of the inter-state commerce act, and, if they can give it in one state they can give it in all the states through which the road runs, and thus make the inter-state commerce act inoperative in this respect. The railroad company cannot afford to carry any one free, and if it does, it is done at the expense of the general traveling public. It is better to charge everyone and then the railroad companies can afford to carry everyone cheaper. The railroads being for the use of the public, there is no reason why one person should have an advantage over another in that respect.

Because of the magnitude of the railroad interests, I think it is especially wrong for a public official to accept passes from a railroad company. He does not have the pass before the office and he loses the pass when he loses the office. The corporation understands human nature and knows that it is natural to return favors and that the public official, honest, as the world goes, remembers the favor and is inclined to be inactive in the passage of and in the enforcement of laws regulating and controlling railroads. A public official ought to be in a position where he can enact, enforce or interpret all law for the common good and general welfare of the public without embarrassment to himself, and this he will find hard to do while his pockets are full of railroad passes. I therefore recommend the enactment of an anti-pass law to further supplement the "rate bill" and to enable the railroad companies in this state to reduce their rates for carrying passengers.

RAILROAD REGULATION.

It is now settled that because railroads are for the use of the public, the public, through the legislature, has a right to control and regulate them, so long as the regulations are reasonable. This control includes the right to fix reasonable passenger rates, the right to regulate the condition of the roadbed, and the right to compel the railroad companies to furnish proper and reasonable equipment and cars to the public. The regulation may be direct legislation or the power to make such reasonable regulations may be delegated by the legislature to the railroad commissioners. The latter is the more practical, if your railroad commissioners will act, or if your law delegating to them the power is sufficient to compel their action. The reason why such a law is the more practical is because it is very difficult to make a hard and fast rule fixing passenger and freight rates and the furnishing of cars and equipments. Reasonable rates under certain circumstances and conditions might be unreasonable under different circumstances and conditions, and with the power in the railroad commissioners, the conditions could always be met with a reasonable regulation.

We have had, however, since 1897, a law containing a mandatory provision requiring the railroad commissioners to make a schedule of reasonable maximum rates for the transportation of passengers and freight in this state. The law referred to being section 4343 of the revised codes of 1905. If this law is enforced it is probably sufficient, so far as a delegation of power to the railroad commissioners is concerned. If you should conclude that the power should not be delegated to the commissioners, but that the rates should be fixed by statute, you should be governed in fixing the rate by the rule laid down by the supreme court of the United States in the case of the Chicago, Milwaukee & St. Paul Railroad company vs. Tompkins 176, United States 167, viz: "The unreasonableness of the

schedule of rates for local business of a railroad company must be determined by a comparison of the gross receipts of the road and the cost of operating it." The question of fixing passenger and freight rates I recommend to your sound discretion and best judgment, feeling certain that you will find on investigation that the local freight and passenger rates are unreasonable and that your action thereon will be fair and just to the railroads and to the people.

I recommend the enactment of a law requiring railroads to keep the roadbeds in safe condition, and providing severe penalties for its violation. We have had a great many wrecks this last fall, reported to be caused by spreading rails. I was in one of them and know that the rails spread because the ties were rotten. In another wreck on the same road, in the same county, and in the same week, the rails spread again; there was another wreck, two men killed, and I was told by reliable men who were in the wreck, that the ties at that place were rotten. There can be no compromise on this subject. If a railroad company allows its roadbed to become in such a condition that the ties are rotten, someone is guilty of gross criminal negligence; and if, on account of such negligence, a life is lost, someone should be guilty of manslaughter and should be punished accordingly. The railroad company owes the public a good safe roadbed and should be required by law to furnish it and keep it in safe condition.

CAR SHORTAGE.

In relation to the question of the recent shortage of cars, I recommend the enactment of a law requiring the railroad companies to furnish a reasonable number of cars to shippers without discrimination. I am informed that in many parts of the state the railroad companies have discriminated in favor of certain shippers by giving them more cars and larger cars than other shippers in the same town. This should be regulated in such a way that no town would have an advantage over other towns with the same railroad facilities and no shipper would have any advantage over any other shipper. The people and the railroads should realize that the railroads are not for the individual but for the use of the public, and that there should be no discrimination in favor of any place or person.

RAILROAD TAXATION.

I next call your attention to railroad taxation. There is a general feeling throughout the state that the railroads are not paying their just and proportionate share of the burden of taxation. Railroad property should be assessed upon the same basis as other property of the individual. There is only one way to assess property so that the burden may fall alike upon all, and this one way is by assessing it at its actual value. By so doing, no one can

complain because all should be willing to pay their just and proportionate share for the support of the government which protects their lives, their liberty and their property.

UNIFORM ASSESSMENT.

It is true that the law now in force requires all property to be assessed at its actual value, but everyone knows that no property is assessed at its actual value. There is no uniformity about the assessment of personal property. The law is not enforced in relation to the assessment of real estate, and the railroads are only assessed at a small proportion of their actual value. It seems that the present law is insufficient to accomplish the results intended, viz.: to assess property at its actual value. On account of the low assessment, the rate is necessarily high, which is a bad recommendation to the immigrant and to the investor from other states, and at the same time, on account of the low assessment, cities are often hampered and sometimes prevented from having modern conveniences on account of the debt limit, which is based on the assessed value of the property. I therefore recommend to you the enactment of a law providing severe penalties for the neglect or refusal of assessors to assess property at its actual value, for the neglect or refusal of property owners to list their property with the assessor when called upon to do so, at its actual value, and for the neglect or refusal of any member of a board of equalization to increase the assessed value of any property to its actual value.

STATE BOARD OF EQUALIZATION.

And I further recommend that the board of equalization be given power to subpoena any property owner to appear before such board and to answer upon oath all questions relative to any property owned by him, subject to assessment, and to produce all books and inventories in relation to the same, and that the state board of equalization be given the fullest power to inquire into the value of railroads in this state by subpoenaing the officers of said roads to appear before said board and furnish information upon oath concerning the value of railroad property, and the said railroad companies should, upon notice, furnish to the board of equalization all books and records required by the board of equalization, and when the value of such railroads is ascertained by the board of equalization, such railroads should be assessed at their actual value, and not at an arbitrary figure, as is now done, under the present system.

PROTECTION OF GAME.

I further recommend to you, for the protection of game in this state, to amend the present game law by prohibiting spring shooting. I believe that this amendment will materially assist in the protection

of game. Spring shooting has a tendency to drive the birds out of the country. Game is not good at that time of the year and the killing of one bird at that season of the year would be equal to the killing of several in the fall.

JURISDICTION OF THE COUNTY COURT

Quite a number of the counties of the state have increased the jurisdiction of the county court, and the practice act in county courts, with increased jurisdiction, provides that an appeal may be taken from the county court to the district court, or it may be taken direct to the supreme court. If the appeal be to the district court it is taken in the same manner as an appeal from the justice court. If the appeal be to the supreme court, it is taken in the same manner as if taken from the district court. This practice does not relieve the district court from the work intended, and, at the same time, it entitles everyone to two jury trials. If a defendant is convicted in the county court, he can appeal to the district court and there have his case started anew on the facts, and before another jury. The party losing a civil action before a jury in the county court, can appeal to the district court and there have his case tried anew before another jury. This is no relief to the district court and is an increased expense to the county. The judge of the county court with increased jurisdiction, must be a lawyer. He is governed by all the rules in the trial of civil and criminal actions in his court that govern the judges in the district court. He instructs the jury on the law and if he does not err there is no reason why a defendant should have another trial on the facts. I therefore recommend that

SECTION 8292 OF THE REVISED CODES OF 1905

be amended so as to provide for an appeal from the county court direct to the supreme court. This will relieve the district court of such work and will save the counties with increased jurisdiction a great deal of expense.

SCHOOL FUND.

The moneys realized from the sale of school lands have increased enormously and, under the constitution and the law, the same may be invested in first mortgages on real estate, not exceeding one-third the value of the land. This I regard as the best possible investment and the best possible security, and I believe that the loaning of the school fund upon real estate under the foregoing limitation, ought to be encouraged. I am informed, however, by farmers who have made application for loans, that there was so much "red tape" about it and so much delay that they were obliged to abandon the loan and borrow the money from the bank and

loan agents. The law in this respect ought to be simplified in such a way as to make the state safe and at the same time enable the borrower to procure his loan without unnecessary delay, to the end that this school fund may be put to work accumulating interest and at the same time assisting the pioneer in the building up and developing of the state.

DRAINAGE.

The conditions prevailing in the Red river valley for the past several years require of us, at this time, some additional legislation on the subject of drainage. I know that the representatives from that district have been studying the question for years and are well informed as to the means necessary to secure proper drainage and as to the laws necessary to enable them to secure the means. The people of the Red river valley are more interested in this subject than in any other portion of the state, and while whatever law is passed upon the subject must be a general one, I think that the representatives from other portions of the state should, in fairness to the representatives from the valley, assist them in every way to secure such a drainage law as will meet the emergency in that portion of the state, and which is consistent with conscience and the constitution.

In this connection I call your attention to the fact that in 1905 twenty-one states and three territories passed drainage laws which may be found in the state library and which no doubt will be of great assistance to you in the enactment of a drainage law. I have referred particularly to the Red river valley on account of the great necessity for drainage in that portion of the state, but there are many acres of land in other portions of the state that can be reclaimed by a proper system of drainage.

THE NATIONAL GUARD

For the purpose of assisting the National Guard of the respective states Congress in 1900 enacted a law requiring the National Guard throughout all the States to be uniform, in its arms, equipments and in drill. To perform duties of a military character during the year, either in the way of annual encampments or participate in joint maneuvers all to the satisfaction of such officers as shall be detailed by the general government as inspectors—all such provisions to be complied with on or before January 21st 1908. Our National Guard will be entitled to share in the appropriation provided for in said act.

I therefore recommend such legislation as may be necessary to enable our militia to comply with all of the provisions of said act and to partake of all of its benefits.

There is a sentiment growing in this state in favor of direct legislation or what is commonly called

THE INITIATIVE AND REFERENDUM.

This simply means that the people can at any time initiate legislation by petitioning the legislative assembly to enact certain laws. This is called the initiative, and if the legislative assembly refuses to pass a law that the people want, or if they should pass a law that the people do not want, then a certain per cent of the people can, by petition, have such law referred to the people for their approval or disapproval. The object of this law is to put the power of governing in the hands of the people, where it belongs, and there ought not to be any opposition to amending the constitution and the laws in this respect, for it is our proud boast that we are "A government of the people, for the people and by the people." I am heartily in favor of it, as applied to legislative enactments and I recommend it to your most careful and conscientious consideration.

SERVANTS OF THE PEOPLE.

We should not forget that we are here as the servants of the people and that, as such, it is our duty to favor the enactment of wholesome, good laws, no matter from what source they come, and to put the seal of disapproval upon those which are not wholesome and good, irrespective of their source.

We should forget all party differences and personal grievances and give to the corporation and individual justice alike. Each is entitled to this and none is entitled to more. And I assure you that I will heartily co-operate with you and assist you to the best of my ability and to the extent of all of my time to secure legislation for the common good and general welfare of all the people of this great state.

Mr. Talcott moved

That the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

The house reassembled.

Mr. Sorley of Grand Forks moved to reconsider the vote by which the house was to adjourn until Monday.

Which motion prevailed.

Mr. Sorley of Grand Forks offered the following joint resolution and moved its adoption:

Resolved, by the House of Representatives the Senate concurring that when the House and Senate adjourn on Thursday, January 10th, they stand adjourned until Tuesday January 15th.

Which motion prevailed, and

The resolution was adopted.

Mr. Shirley moved

That when we adjourn tonight we adjourn until 9:30 a. m. tomorrow morning.

Which motion prevailed.

REFERENCE OF JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the first day before recess have carefully examined the same and recommend that the same be corrected as follows:

- Page 1, strike out line 4.
- Page 1, line 14, change name "Sangstad" to "Sougstad."
- Page 2, line 6, change name "Sorley" to "Sorlie."
- Page 2, line 13, change name "Levy" to "Livy."
- Page 2, line 14, correct spelling of name "Buttz."
- Page 3, line 12, change name "Tredwell" to "Treadwell."
- Page 3, line 3, from bottom correct spelling of name "Welford."
- Page 4, line 13, change name "Morton" to "Norton."
- Page 4, line 15, change figures "94" to "95."
- Page 4, line 16, change figures "97" to "95."
- Page 4, line 22, change name "Oibley" to "Dibley."
- Page 4, line 30, change name "Neson" to "Nelson."
- Page 4, line 33, insert the name "Stevens" after the name "Sheen."
- Page 4, line 35, insert the name "White" after the name "Welford."
- Page 4, line 37, strike out the name "Johnson of Ward."
- Page 4, line 38, add the words "and Wedge."
- Page 5, line 4, strike out the name "Brodie."
- Page 5, line 3, after word "Messrs." insert the name "Anderson of Grand Forks."
- Page 4, last line, change figures "59" to "61."
- Page 5, line 1, change figures "59" to "61."
- Page 5, line 7, insert the name "Freeman" after the name "Flamer."
- Page 5, line 14, insert the name "White" after the name "Ueland."
- Page 5, lines 15 and 16, strike out the name "Anderson of Grand Forks."
- Page 5, line 16, insert the name "Brodie" after the name "Andrus."
- Page 5, line 19, change the name "Moeck" to "Monek" and wherever the same appears in the Journal.
- Page 5, line 12, insert the words "of Morton" after the name "Rohs" and whenever same occurs throughout the Journal.
- Page 5, line 22, change the name "Sangstad" to "Sougstad".
- Page 5, line 25, change the name "Sangstad" to "Sougstad."
- Page 5, line 27, change the name "Sangstad" to "Sougstad."
- Page 5, lines 24 and 25, change the figures "61" to "73."
- Pages 5 and 6, change the names "Anderson B., Burdick, Church, Freeman, Peake, Shirley, Stavens, Steen, Stevens, Storey Ueland, White from absent and not voting in roll call on Sougstad for assistant chief clerk to voting for."
- Page 6, line 2, insert the name "Monek" after the name "Miller."
- Page 6, line 6, change the name "Gullachson" to the name "Gullackson" and whenever same appears on same page.

Page 8, line 28, change the name "Maddin" to "Maddock" and whenever same appears on the same page.

Page 9, second line from bottom, change the name "Fosher" to "Fosser" and whenever same occurs on same page.

Page 14, line 11, change the name "F. G. Anderson" to "T. G. Anderson."

Page 16, line 13, from bottom, change the name "Rainey" to "Raney."

Page 19, after line 3, insert "complete separate proceedings on election of Arnold Michelson, Lester, Budlong, Juel Stebbins, Harry Beardsley, Fred James as pages similar to that on Semling."

Page 28, after line 28, insert "which motion prevailed and the communication was so referred."

Page 25, line 27, change name "J. S. Sorley" to "J. A. Sorley."

Page 19, line 11, change name "A. J. Quamme" to "O. J. Quamme."

Page 11, lines 6 and 7, change the words "stenographer of the house" to members stenographer."

Page 11, line 10, make same correction.

Page 11, line 32, change word "members" to the word "house."

Page 11, line 37, change word "members" to the word "house."

And when so amended recommend that the same be approved.

O. G. NELSON,
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 10, 1907.

The house assembled at 9:30 a. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except

Messrs.—

Aaker
Adams
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Chapman
Elhard
Flamer

Messrs.—

Freeman
Gibbens
Hankinson
Hemmingsen
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Billings
Mathews
Moore
Murphy

Messrs.—

Monek
Nelson of Steele
Putnam
Schlenker
Simpson
Sinclair
Stavens
Streeter
Tofsrud
Treat
Wedge

Mr. Haugen moved

That all members absent be excused.

Which motion prevailed, and

All absent members were excused.

INTRODUCTION OF BILLS.

Mr. Casey introduced

House Bill No. 2,

A bill for an act for the election of United States Senators by popular vote.

Mr. Tufte introduced

House Bill No. 3,

A bill for an act amending section 9366 of the revised codes of North Dakota for the year 1905 relating to prohibition.

The speaker administered the oath of office to Miss Laura Conner as members' stenographer.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

EIGHTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 15, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Adams, Andrus, Blegen, Burgum, Dibley, Elhard, Ganssle, Gibbens, Giedt, Halaas, Hankinson, Hanson, Jensen, Johnson of Sargent, Johnson of Pembina, Johnson of Ward, Jones of Barnes, Law, McDowall, Moore, Murphy, Nelson of Steele, Restemayer, Rose of Dickey, Thoreson, Tofsrud, Treat, Watts and Wedge, who were excused.

Sorlie of Traill nominated Ole Kinneberg of Benson county as cloakroom attendant in place of T. Barry who had failed to qualify.

The roll being called there were 71 votes cast of which Ole Kinneberg received 71 and was duly declared elected cloakroom attendant.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Putnam
Anderson, Grand F'rks	Griffith	Rohs of Morton
Anderson, Bernt	Hallick	Schlenker
Anderson, O. P. N.	Hanawalt	Shannafelt
Blake	Haugen	Simpson
Brodie	Hemmingsen	Sinclair
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Jones of Ransom	Sorlie of Traill
Buttz	Martin of Morton	Shirley
Carter	Martin of Billings	Stavens
Casey	Mathews	Steen
Chapman	Midgarden	Stevens
Church	Miller	Storey
Collins	Mockler	Streeter
Connolly	Monek	Swendseid
Crawford	Morin	Syverson
Cunningham	Nelson of Traill	Tufte
Dean	Oveson	Ueland
Duncan	Parkhill	Wake
Evans	Peake	Walker
Flamer	Piper	Welford
Freeman	Plath	White
Garden	Pugh	Mr. Speaker
Graham	Purdon	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Murphy
Andrus	Hanson	Nelson of Steele
Blegen	Jensen	Restemayer
Burgum	Johnson of Pembina	Rose of Dickey
Dibley	Johnson of Sargent	Thoreson
Elhard	Johnson of Ward	Tofsrud
Ganssle	Jones of Barnes	Treat
Gibbens	Law	Watts
Giedt	McDowall	Wedge
Halaas	Moore	

Who were excused.

MESSAGE FROM THE SECRETARY OF STATE.

The following message was received from the secretary of state:

To the Senate and House of Representatives:

GENTLEMEN: Pursuant to section 239 R. C. 1905, we have the honor to report herewith our estimate of the appropriation necessary to defray the expenses of keeping the capitol building, executive mansion and public grounds in repair and for fuel and other incidental expenses for keeping and maintaining the state offices for the ensuing two years, to wit: \$50,000.00.

We recommend in addition to this sum an additional appropriation to cover the deficiency for the last two years, to wit: \$12,500.00.

Respectfully submitted,

JOHN BURKE,
Governor.

ALFRED BLAISDELL,
Secretary of State.

H. L. HOLMES,
State Auditor.

Board of Trustees of Public Property.

Mr. Stevens moved that the communication be referred to the committee on appropriations when appointed.

Which motion prevailed.

The census report of 1905 was presented through a communication from the secretary of state.

Mr. Stevens moved

That the reading of the communication at length be dispensed with and that the same be referred to the committee on apportionment when appointed.

Which motion prevailed.

(Text of report appears in senate journal of this date.)

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 15, 1907.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 1,

A bill for an act entitled an act to amend section 155 of chapter 4 of the political Code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Which the senate has passed unchanged.

Also,

I have the honor to inform the house that the senate has concurred in the resolution providing for the adjournment of the house and senate to January 15, 1907.

Very Respectfully,

J. W. FOLEY,

Secretary.

REVISION AND CORRECTION OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the first day after recess have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 12, change "senate" to "house."

And when so amended recommend that the same be approved.

Also,

Your committee on revision and correction of the journal of the second day have carefully examined the same and recommend the same be corrected as follows:

Page 3, line 5, change "2" to "150."

Page 4, line 7, add "s" to word "beg."

Page 4, line 8, add "s" to word "recommend."

Page 5, line 8 from bottom, insert "be" after "passed."

Page 12, line 14, correct spelling of "important."

Page 18, line 22, correct spelling of "violators."

Page 24, line 24, substitute "North" for "South."

Page 32, line 15 from bottom, transpose words "by" and "the."

Page 34, transpose lines 3 and 4.

Page 35, lines 2 and 14, insert "Ueland" instead of "Neland."

Page 35, lines 5 and 17, insert "Monek" instead of "Monck."

Page 35, for line 3 from bottom insert "The house adjourned."

And when so amended recommend that the same be approved.

O. G. NELSON,

Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That a temporary committee of three on enrollment be appointed to report on House Bill No. 1.

Which motion prevailed.

The speaker appointed as such committee Messrs. Stevens, Haugen and Tufte.

MOTIONS AND RESOLUTIONS.

Mr. Sorley of Grand Forks asked unanimous consent to amend the rules.

There being no objection Mr. Sorley of Grand Forks moved a standing committee of eleven on drainage be added to list of standing committees.

Which motion prevailed.

Mr. Tufte offered the following

CONCURRENT RESOLUTION AND MEMORIAL.

Whereas, Under the present method of the election of the United States senators by the legislatures of the several states protracted contests frequently result in no election at all and in all cases interfering with needed state legislation; and

Whereas, Experience has demonstrated that the interests of the people would be best served by the election of the United States senators by a vote of the people of the various states; and

Whereas, A large number of state legislatures have at various times adopted memorials and resolutions in favor of election of United States senators by popular vote; and

Whereas, The national house of representatives has on several occasions within recent years adopted resolutions in favor of this change in the method of electing United States senators, which were not adopted by the senate, and

Whereas, Article V. of the Constitution of the United States provides that congress, on the application of the several states shall call a convention for proposed amendments, and believing there is a general desire upon the part of the citizens of the state of North Dakota that United States senators should be elected by a direct vote of the people, therefore, be it

Resolved by the House of Representatives, the Senate Concurring, That the legislative assembly of the state of North Dakota favors the adoption of an amendment to the constitution of the United States which shall provide for the election of United States senators by popular vote, and joins with other states of the union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the constitution of the United States, as provided for in Article V. of said constitution, which amendment shall provide for a change in the present method of electing United States senators, so that they can be chosen in each state by direct vote of the people;

Resolved, further, That copies of this resolution, properly attested, be sent to our senators and representatives in congress of the United States, and be it hereby further

Resolved, That a copy of this concurrent resolution and application to congress for the calling of a convention, duly signed and certified, be sent

to the proper officials of each of the states in the union, together with the request, hereby expressed, that such resolution and application be laid before the legislative assembly of each state to be approved by it in its discretion, and notice of such approval when given communicated to the senators and representatives acting for such states in the congress of the United States.

Mr. Buttz moved

That the concurrent resolution be referred to the committee on elections and privileges when appointed.

Which motion prevailed, and

The resolution was so referred.

Mr. Sorlie of Traill offered the following resolution and moved its adoption.

Whereas, It is necessary for the orderly and expeditious transaction of the business of the house of representatives to have certain employes not specifically employed by statute; now therefore, be it

Resolved, That the speaker be, and he is hereby, authorized and requested to appoint a committee of three members of the house who shall report to him a list giving the different positions and employments necessary for the proper transaction of the business of the house, and that have not already been filled by election; and be it further

Resolved, That when said committee shall report to the speaker as aforesaid and when so appointed their names shall be entered upon the roll of employes and they shall thereafter be entitled to compensation as shall be hereinafter provided.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee Messrs. Sorlie of Traill, Piper and Casey.

Mr. Buttz offered the following resolution, and moved its adoption:

Whereas, It appears that no provision has been made by which the clerk is authorized to prepare a calendar upon which to enter the bills and reports thereon, made by the different committees of the house, and

Whereas, It being apparent that a calendar containing the necessary information for the guidance of the members should be printed; therefore, be it

Resolved, That the clerk is hereby directed to have prepared and printed in the daily journal of the house as often as necessary a calendar to be known as the "House Calendar," containing a list of all bills reported by a committee or committees of the house giving the title of the bill, date of report, by whom report was made, and name of member introducing the same, and such other information as will aid in the transaction of the business of the house. Said calendar shall include under its proper head all matters in the "General Orders," and whenever the house considers a bill or bills upon third reading or in the "General Orders" each bill shall be considered in its order as placed on the calendar, unless the house otherwise directs.

Which motion prevailed, and

The resolution was adopted.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your special committee enrollment and engrossment beg leave to report that they have examined

House bill No. 1.

And find the same properly enrolled.

R. N. STEVENS,

Chairman Special Committee.

Mr. Sorley of Grand Forks offered the following resolution, and moved its adoption:

Resolved, That in the judgment of the members of the house it is deemed necessary for the proper transaction of its legislative work that four additional engrossing and enrolling clerks and four janitors be appointed; therefore, the speaker is hereby requested to appoint such additional clerks and janitors.

Which motion prevailed, and

The resolution was adopted.

Mr. O. P. N. Anderson offered the following concurrent resolution, and moved its adoption:

Resolved by the House of Representatives, the Senate Concurring:

That a special committee consisting of three members of the house be appointed by the speaker, and two members of the senate be appointed by the president of the senate, to co-operate with the department of public instruction in reporting such changes and additions to the existing school laws of the state as it may deem best for the schools thereof. Such recommendations to be reported to this Assembly without delay.

Mr. Casey moved that the concurrent resolution be referred to the committee on education when appointed.

Which motion prevailed, and

The resolution was so referred.

Mr. O. P. N. Anderson offered the following resolution, and moved its adoption:

Resolved, That the attorney general is hereby required to give his opinion in writing as to the legality of section 605 of the Political Code of 1906, relating to the qualification of electors, and report the same to the house at once.

Which motion prevailed, and

The resolution was adopted.

Mr. Shirley moved

That the members proceed at once to the selection of seats.

Mr. Streeter moved as a substitute motion that the selection of seats be deferred until immediately after roll call tomorrow.

Which substitute motion prevailed.

The chief clerk announced that the speaker was about to sign

House Bill No. 1,

A bill for an act entitled an act to amend section 155 of chapter 4 of the political Code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

And the speaker signed the same in the presence of the house.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 2,

A bill for an act for the election of United States Senators by popular vote.

Was read the first and second times, and

Referred to the committee on Elections and privileges.

House Bill No. 3,

A bill for an act amending section 9366 of the revised codes of North Dakota for the year 1905 relating to prohibition.

Was read the first and second times, and

Referred to the committee on temperance.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

Mr. O. P. N. Anderson introduced

House Bill No. 4,

A bill for an act to amend section 2000 relating to epidemic diseases among domestic animals and providing for their compensation when destroyed by order of the district veterinarian.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Mockler introduced

House Bill No. 5,

A bill for an act to amend section 4302 of the Revised Codes of 1905 relating to the stopping of passenger trains

at county seats, and penalty for non compliance therewith.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Casey introduced

House Bill No. 6,

A bill for a law prohibiting the issuance or furthering of any pass, ticket, transportation or service, either free or at less than regular public rates, to any person, and to prohibit the receiving or issuing of any such ticket, pass, transportation or service, and providing penalties for the violation thereof.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Mockler introduced

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Casey introduced

House Bill No. 8,

A bill for a law providing for the taxation of railroads, the collection of such taxes and repealing acts inconsistent therewith.

Which was read the first and second times and
Referred to the committee on taxes and tax laws.

Mr. Duncan introduced

House Bill No. 9,

A bill for an act to amend section 1319 of the Political Code of the state of North Dakota.

Which was read the first and second times and
Referred to the committee on appropriations.

The special committee on enrollment made the following report:

Mr. Speaker:

Your special committee on enrollment respectfully report that

House Bill No. 1,

A bill for an act entitled an act to amend section 155 of chapter 4 of the political Code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Was delivered to the governor for his approval at the hour of 2:40 o'clock p. m. January 15, 1907.

R. N. STEVENS,
Chairman.

Mr. Pugh introduced

House bill No. 10,

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Duncan introduced

House bill No. 11,

A bill for an act to amend section 1478 of the revised codes of 1895, being section 1854 of the revised codes of 1905 relating to residence of the poor.

Which was read the first and second times and
Referred to committee on state affairs.

Mr. Bernt Anderson introduced

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Which was read the first and second times and
Referred to the committee on municipal corporations.

Mr. Streeter introduced

House bill No. 13,

A bill for an act entitled an act prescribing the method of procedure in cases of horses, mares, mules or asses afflicted with glanders, and providing for compensation to owners where such animals are ordered to be destroyed.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Bernt Anderson introduced

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Streeter introduced

House bill No. 15,

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Sorlie of Traill introduced

House bill No. 16,

A bill for an act indemnifying owners for animals killed or destroyed according to law for being effected with the disease known as glanders.

Which was read the first and second times and

Referred to committee on live stock.

Mr. Duncan introduced

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Which was read the first and second times and

Referred to the committee on forestry.

Mr. White introduced

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less

rate than that charged the public, and providing a penalty therefor.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. White introduced

House bill No. 19,

A bill for an act to provide a method for the nomination of candidates for office by political parties.

Which was read the first and second times and
Referred to the committee on elections and privileges.

Mr. Sorley of Grand Forks introduced

House bill No. 20,

A bill for an act to amend section 5848 of the revised codes for 1895, being section 5848 of the revised codes of 1899, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Sorley of Grand Forks introduced

House bill No. 21,

A bill for an act to amend section 5541 of the revised codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Tufte introduced

House bill No. 22,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Anderson of Grand Forks introduced

House bill No. 23.

A bill for an act to prohibit the use of money by corporations in elections and to prevent them from rendering any free service for any political purpose whatsoever.

Which was read the first and second times and
Referred to the committee on elections and privileges.

Mr. Jones of Ransom introduced

House bill No. 24.

A bill for an act establishing a maximum railroad passenger rate within the state.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Haugen introduced

House bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Ueland introduced

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Ueland introduced

House bill No. 27,

A bill for an act regulating the handling of freight in carload lots by railroad companies, shippers and consignees, and equalizing car service, charges and penalties for the use and detention of cars and failure to furnish cars and transport the same.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Buttz introduced

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Shirley introduced

House bill No. 29,

A bill for an act entitled an act prohibiting any probate judge or any clerk of any probate court from acting as

counsel or attorney, and prohibiting any such clerk or the law partner of any judge of probate or such clerk from appearing or practicing as attorney in any matter or proceeding before such probate court.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Shirley introduced

House bill No. 30,

A bill for an act entitled an act to repeal section 4680 of the revised codes of 1899, being section 6130 of the code of 1905. Liens on future interest.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Shirley introduced

House bill No. 31,

A bill for an act entitled an act to amend section 6237 of the revised codes of 1905, relating to mechanics liens.

Which was read the first and second times and
Referred to committee on state affairs.

Mr. Shirley introduced

House bill No. 32,

A bill for an act entitled an act to amend section 4064 of the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Oveson introduced

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Storey introduced

House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Which was read the first and second times and
Referred to committee on railroads.

Mr. Sorlie of Traill introduced

House bill No. 35,

A bill for an act to prohibit the granting to or use of by any person a free pass or special privilege withheld from any other person and fixing the penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Storey introduced

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Storey introduced

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Which was read the first and second times and

Referred to committee on highways, bridges and ferries.

Mr. Stevens introduced

House bill No. 38,

A bill making an emergency appropriation.

Which was read the first and second times and

Referred to committee on appropriations.

Mr. Stevens moved

That the privileges of the floor be extended to the members of the North Dakota Retail Merchants' association,

Which motion prevailed.

Mr. Tufte moved

That the privileges of the floor be extended to Mr. O. G. Hanson, sheriff of Grand Forks county,

Which motion prevailed.

STANDING COMMITTEES.

The speaker announced the following standing committees:

Rules—Stevens, chairman; Sorley of Grand Forks, Casey, Burgum, Buttz, Peake, Shirley, Chapman, White.

Mileage and Per Diem—Watts, chairman; Law, Evans.

Judiciary—Sorley of Grand Forks, chairman; Casey, Stevens, Buttz, Johnson of Ward, Pugh, Shirley, Burdick, Mockler, Watts, Tufte, Sorlie of Traill, Piper, Connolly, Bernt Anderson of Ramsey, Ueland, White, Griffith, Rose.

Ways and Means—Brotnov, chairman; Nelson of Traill, Moore, Buttz, Hemmingsen, Shirley, Putnam, Wake, Mathews, Thoreson, Johnson of Pembina.

Railroads—White, chairman; Burgum, Welford, Hanawalt, Oveson, Dibley, Parkhill, Syvertson, Aaker, Adams, Murphy, Cunningham, Garden, Halaas, Walker, Steen, Giedt, Thorson, Griffith.

Appropriations—Peake, chairman; Casey, Treat, Welford, Anderson of Grand Forks, Moore, Purdon, Jones of Ransom, O. P. N. Anderson of Ramsey, Sinclair, Ueland, Rose, Stevens, Garden, Martin, Brodie, Nelson of Traill.

Engrossment—Aaker, chairman; Brotnov, Anderson of Grand Forks, Swenseid, Sinclair, Andrus, Rohs, Wedge, Elhard.

Enrollment—Pugh, chairman; Putnam, Hankinson, Johnson of Sargent, Syvertson, Adams, Streeter, Freeman, Simpson.

Education—Casey, chairman; Anderson of Grand Forks, Wedge, Walker, Putnam, Johnson of Ward, Streeter, O. P. N. Anderson of Ramsey, Evans, Crawford, Swenseid, Blake, Pugh.

Elections and Privileges—Shirley, chairman; Watts, Walker, Sorley of Grand Forks, Casey, Halaas, Garden, Streeter, Gibbons, Bernt, Anderson of Ramsey, Blegen, Graham, Stavens, Piper, Johnson of Pembina.

Municipal Corporations—Treat, chairman; Pugh, Purdon, Peake, Stevens, Johnson of Ward, Brodie, Ganssle, Anderson of Grand Forks.

Corporations Other than Municipal—Jensen, chairman; Johnson of Pembina, Hosford, Deane, Flamer, Parkhill, Murphy, Schlenker, Jones of Barnes.

Agriculture—Swenseid, chairman; Nelson of Steele, Johnson of Sargent, Collins, Oveson, Hallick, Blegen, Grant, Hankinson, Mathews, Duncan, Carter, Brotnov.

Public Printing—Tufte, chairman; Gibbons, Streeter, Collins, Burdick, Simpson, Oveson, Walker, Restemayer.

Irrigation—Halaas, chairman; Duncan, Stevens, Freeman, Johnson of Ward, Chapman, Simpson, Evans, Schlenker.

Insurance—Midgarden, chairman; Moore, Restemayer, Haugen, Dibley, Andrus, Griffith, Shannafelt, Jensen.

Labor—Storey, chairman; Freeman, Monek, Crawford, Nelson of Steele, Parkhill, Flamer, Hallick, Morin.

Immigration—Burdick, chairman; Brodie, Church, Flamer, Simpson, Mathews, Hankinson, Grant, Griffith.

Apportionment—Putnam, chairman; Tufte, Restemayer, Hosford, Casey, Morin, Anderson of Grand Forks, Haugen, Sorlie of Traill, Dibley Plath, Piper, Connolly, Blake, Jones of Ransom, Law, Stavens, Swenseid, Crawford, Graham, Duncan, O. P. N. Anderson of Ramsey, Gibbons, Monek, Ueland, Andrus, Storey, Mockler, Freeman, Johnson of Ward, Rohs, Evans, Shanafelt, Tofsrud, Schlenker, Elhard, Hanson, Jones of Barnes White, McDowall.

Schools and Public Lands—Sorlie of Traill, chairman; Plath, Halaas, Hemmingsen, Miller, Carter, Martin of Stark, Putnam, Steen.

Public Health—Garden, chairman; Dibley, Connolly, Stavens, Murphy, Martin of Morton, Halaas, Johnson of Pembina, Walker.

Military Affairs—Purdon, chairman; Peake, Treat, Jones of Ransom, Monek, Rose, Johnson of Ward, Brodie, Midgarden.

Warehouses and Grain Grading—Piper, chairman; Brotnov, Church, Plath, Law, Griffith, Jones of Barnes, Giedt, Wedge, Carter, Storey, Miller, Blegen, Syvertson, Swenseid.

Temperance—Haugen, chairman; Jones of Barnes, Nelson of Traill, McDowall, Parkhill, Moore, Hemmingsen, Blegen, Andrus, Rohs, Elhard, Oveson, Church, Morin, Midgarden.

Highways, Bridges and Ferries—Blake, chairman; Miller, Dibley, Morin, Law, Storey, Hemmingsen, Chapman, Steen.

State Affairs—O. P. N. Anderson of Ramsey, chairman; Rohs, Tufte, Nelson of Traill, Hanson of Richland, Jensen, Martin of Morton, Graham, Jones of Ransom, Purdon, Bur-gum, Plath, Restemayer, Midgarden, Haugen.

Supplies and Expenditures—Blegen, chairman; Deane, Nelson of Steele, Church, Syvertson, Shannafelt, Thorson, McDowall, Johnson of Pembina.

Forestry—Syvertson, chairman; Collins, Johnson of Sargent, Garden, Deane, Steen, Freeman, Hanson, Giedt.

Public Debt—Hanawalt, chairman; Watts, Mathews, Tofsrud, Sinclair, Aaker, Buttz, Flamer, Sorley of Grand Forks.

Manufacturers—Connolly, chairman; Hallick, Treat, Miller, Murphy, Mockler, Simpson, Evans, Brotnov.

Counties and County Boundaries—Bernt Anderson of Ramsey, chairman; Carter, Evans, Shannafelt, Elhard, Burdick, Ganssle, Law, Schlenker.

Taxes and Tax Laws—Tofsrud, chairman; Ganssle, Grant, Halaas, Martin of Stark, Simpson, Andrus, Gibbons, Aaker, Nelson of Steele, Stavens, Collins, Sorley of Grand Forks, Welford, Hosford.

Coal Lands and Mining—Brodie, chairman; Schlenker, Rohs, Carter, Chapman, Freeman, Mockler, Streeter, Monek.

Live Stock—Duncan, chairman; Cunningham, Adams, Martin of Stark, Johnson of Sargent, Collins, Deane, Mathews, Grant, Thorson.

Banking—Wedge, chairman; Blake, Treat, Peake, Burdick, Storey Rohs, Martin of Stark, Wake, Tofsrud, White.

Federal Relations—Gibbons, chairman; Buttz, Dibley, O. P. N. Anderson of Ramsey, Adams, Cunningham, Mockler, Martin of Morton, Hankinson.

Revision and Correction of Journals—Graham, chairman; Crawford, Sinclair, Wake, Conolly, Tufte, Ganssle.

Fish and Game Laws—Thorson, chairman; Wake, Chapman, Bernt Anderson of Ramsey, Parkhill, Burgum, Sorlie of Traill, Church, Hanawalt.

Drainage—Burgum, chairman; Cunningham, Wake, Hanson, Bernt Anderson of Ramsey, Jones of Ransom, Blake, Sorlie of Traill, Haugen, Hosford, Watts.

JOINT COMMITTEES.

Public Buildings—Moore, chairman; Stavens, Pugh, Cunningham, Martin of Stark, Johnson of Pembina, Hanawalt, Schlenker, Hanson.

Charitable Institutions—Rose, chairman; Hallick, Flamer, Martin of Morton, Jensen, Grant, Nelson of Traill, McDowall, Hosford.

Penal Institutions—Griffith, chairman; Giedt, Tofsrud, Stevens, Adams, O. P. N. Anderson of Ramsey, Crawford, Plath, Welford.

Educational Institutions—Ueland, chairman; Ganssle, Thorson, Evans, Duncan, Law, Buttz, Connolly, Piper.

Joint Library—Steen, chairman; Garden, Monek, Oveson, Dean, Mathews, Elhard, Hankinson, Jones of Barnes.

Joint Rules—Blegen, chairman; Sorley of Grand Forks, Burgum, Peake, Shirley, Streeter, Putnam, Shanafelt, Hankinson.

The speaker appointed as extra clerks T. J. Hampton, A. M. Greenfield, G. Osgood and E. C. H. Smith.

The oath of office was administered to the following employes by the speaker:

A. M. Greenfield, clerk; Ole Kinneberg, cloak room attendant; Hans Fosser, postmaster; T. G. Anderson, journal clerk; M. O. Gullickson, enrolling and engrossing clerk; E. H. C. Smith, clerk; T. J. Hampton, clerk; David E. Maddock, doorkeeper; William Hennessy, assistant journal clerk; Laura Thorburn, house stenographer.

Mr. Tufte moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

NINTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 16, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Dibley, Giedt, Hankinson, Johnson of Sargeant Johnson of Ward, and Rose of Dickey, who were excused.

Mr. Ueland offered the following resolution and moved its adoption:

Resolved, That we proceed to draw seats by counties and when there are more than one county in a district the drawing shall be for the districts. When no representative is present for the county or district the chief clerk shall draw and select seats for such county or district.

Mr. Stevens moved as an amendment

That the drawing of seats be by districts.

The amendment was lost.

The question being upon the original motion

The same prevailed and

The house proceeded to the drawing of seats by counties.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the eighth day have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 16, after the name "Law" insert the names "McDowall, Moore, Murphy."

Page 1, line 21, change figures "72" to "71."

Page 1, line 22, change figures "72" to "71."

Page 2, after line 38 insert as line 39 the words "who were excused."

Page 16, line 13, change name "Thorson" to "Thoreson" and wherever same occurs in the journal.

Page 18, strike out lines "35 and 36" and insert the same after line "25."

Page 18, line 30, strike out the name "O. N. Brekke, clerk."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Ueland moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

MESSAGE FROM THE GOVERNOR.

Bismarck, January 16, 1907.

To the House of Representatives:

MR. SPEAKERS. I have the honor to inform you that I have approved and filed with the honorable secretary of state:

House Bill No. 1,

Being a bill for an act entitled an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, providing for the investment of monies belonging to the permanent funds of the common schools, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Respectfully,

JOHN BURKE,
Governor.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee on mileage and per diem find the members entitled to mileage as follows:

	Miles.	Amount.
Aaker	390	\$ 39.00
Adams	836	83.60
Anderson of Grand Forks	548	54.80
Anderson, Bernt	784	78.40
Anderson, O. P. N.	780	78.00
Andrus	330	33.00
Blake	410	41.00
Blegen	786	78.60
Brodie	230	23.00
Brotnov	646	64.60
Burdick	776	77.60
Burgum	382	38.20
Buttz	490	49.00
Carter	786	78.60
Casey	630	63.00
Chapman	1,072	107.20
Church	644	64.40
Collins	404	40.40
Connolly	484	48.40
Crawford	760	76.00
Cunningham	290	29.00
Dean	526	52.60
Dibley	390	39.00
Duncan	382	38.20
Elhard	180	18.00
Evans	230	23.00
Flamer	390	39.00
Freeman	966	96.60
Ganissle	658	65.80
Garden	934	93.40
Gibbens	814	81.40
Giedt	130	13.00
Graham	862	86.20
Grant	446	44.60
Griffith	732	73.20
Halaas	298	29.80
Hallick	578	57.80

	Miles.	Amount.
Hanmawalt	620	62.00
Hankinson	460	46.00
Hanson	418	41.80
Haugen	514	51.40
Hemmingsen	312	31.20
Hosford	672	67.20
Jensen	492	49.20
Johnson of Pembina	708	70.80
Johnson of Sargent	352	35.20
Johnson of Ward	644	64.40
Jones of Barnes	282	28.20
Jones of Ransom	490	49.00
Law	312	31.20
Martin of Morton	50	5.00
Martin of Billings	342	34.20
Mathews	170	17.00
McDowall	778	77.80
Midgarden	660	66.00
Miller	704	70.40
Mockler	2	.20
Monek	200	20.00
Moore	444	44.40
Morin	710	71.00
Murphy	200	20.00
Nelson of Steele	344	34.40
Nelson of Traill	478	47.80
Oveson	500	50.00
Parkhill	514	51.40
Peake	274	27.40
Piper	460	46.00
Plath	442	44.20
Pugh	598	59.80
Purdon	484	48.40
Putnam	320	32.00
Restemayer	700	70.00
Rohs of Morton	66	6.60
Rose of Dickey	408	40.80
Schlenker	386	38.60
Shannafelt	480	48.00
Simpson	14	1.40
Sinclair	160	16.00
Sorley of Grand Forks	548	54.80
Sorlie of Traill	496	49.60

	Miles.	Amount.
Shirley	482	48.20
Stavens	472	47.20
Steen	842	84.20
Stevens	2	.20
Storey	86	8.60
Streeter	128	12.80
Swendseid	644	64.40
Syverson	896	89.60
Thoreson	324	32.40
Tofsrud	842	84.20
Treat	390	39.00
Tufte	486	48.60
Ueland	238	23.80
Wake	492	49.20
Walker	670	67.00
Watts	728	72.80
Wedge	882	88.20
Welford	722	72.20
White	440	44.00
Twichell	376	37.60

We further report Otto Saugstad entitled to mileage amounting to \$48.00 for 480 miles traveled and per diem amounting to \$12.00, total \$60.00 as per resolution adopted by the house on Tuesday, January 8th, 1907.

O. J. SORLIE.

D. E. Blake.

MOTIONS AND RESOLUTIONS.

Mr. Buttz offered the following resolution and moved its adoption:

Resolved, That the speaker appoint a committee consisting of three members to select and assign the rooms for the various committees, and cause to be placed on the door or some other conspicuous place the names of the committees consigned to said rooms, and after such selection to report the same to the house.

Which resolution was adopted and

The speaker appointed as such committee Messrs. Buttz, Burgum and Tufte.

Mr. Buttz offered the following joint resolution:

WHEREAS, The construction placed upon the law passed at the last session of the congress of the United States and known as the denatured alcohol law, by the internal revenue bureau, is such that it is difficult to

convert the waste and other products of the farm into denatured alcohol for use as light, heat and power, and

WHEREAS, There is now pending in said congress of the United States an amendment to said law which, if passed, will permit the conversion of these waste and other products of the farm into denatured alcohol at small expense to the producer thereof; therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota, That our representatives in congress be and they are hereby requested to do all in their power to secure the enactment of said amendment into law; and be it further

Resolved, That the governor be and he is hereby requested to forward a certified copy of this resolution to each of the members of Congress from his state.

Mr. Buttz moved the adoption of the joint resolution.

Mr. Tufte moved

That as a substitute the joint resolution be referred to the committee on state affairs.

Which substitute motion prevailed and the joint resolution was referred to the committee on state affairs.

Mr. Grant offered the following concurrent resolution and moved its adoption:

WHEREAS, In this state and in all other sections of our country, lumber and its products are a necessity for and are generally used by all classes of people, and

WHEREAS, The time has arrived when, under the principle and policy of "the greatest good to the greatest number," all duty on lumber and its products should be forthwith removed and the same be placed on the free list; now, therefore, it is hereby

Resolved by the House of Representatives of the State of North Dakota the Senate Concurring, That our United States senators and representatives in congress are hereby respectfully requested to use all honorable means within their power to have all duty on lumber and its products forthwith removed and to have the same placed as soon as possible on the free list.

Resolved, further, That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of our said representatives in congress.

Mr. Buttz moved

That the concurrent resolution be referred to the committee on state affairs,

Which motion prevailed and

The resolution was referred to the committee on state affairs.

Mr. Blake offered the following resolution and moved its adoption:

WHEREAS, An emergency exists inasmuch as the railroads have failed or are unable to deliver sufficient fuel to supply the demands of the people in various parts of this state, and in order that this body might be fully apprised of the nature of such deficiency; be it

Resolved, That the speaker appoint a special committee of five members whose duty it shall be to procure reports from the members as to the actual conditions in their districts and adjoining unorganized districts, if any, and to tabulate a report of such conditions showing, in such districts as are only partly supplied, the amount of wood and coal on hand at each distributing point, the probable amount in transit, if any, and the nearest supply center and facilities for transportation; be it further

Resolved, That each member report conditions in his district to said committee and that said committee report to the house at the earliest possible date.

Which motion prevailed and
The resolution was adopted.

And the speaker appointed as such committee Messrs. Blake, Anderson of Grand Forks, Putnam, Martin of Billings and Moore.

INTRODUCTION AND FIRST AND SECOND READINGS OF HOUSE BILLS.

Mr. Anderson of Grand Forks introduced
House Bill No. 39,

A bill for an act to preserve the public health by regulating and prohibiting the use or feeding of unwholesome food products to live stock, poultry or animals used or kept for consumption as a food, and by providing for the inspection and quarantine of all live stock, hogs, poultry and other animals affected by any contagious or infectious disease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Was read the first and second times, and
Referred to the committee on public health.

Mr. Burdick introduced
House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

Was read the first and second time, and
Referred to the committee on judiciary.

Mr. Sorley of Grand Forks introduced
House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of members of the national committee and relating to their nomination and the perpetuation of political parties.

Was read the first and second times, and
Referred to the committee on elections and privileges.

Mr. Casey introduced
House Bill No. 42,

A bill for a concurrent resolution amending the state constitution.

Was read the first and second time, and
Referred to the committee on elections.

Mr. Sorley of Grand Forks introduced
House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Was read the first and second time, and
Referred to the committee on state affairs.

Mr. Grant introduced
House Bill No. 44,

A bill for an act to amend chapter 178 of the laws enacted by the Eighth legislative assembly of the state of North Dakota, which chapter was and is entitled "An act to amend section 2082 of the Revised Codes of 1899, relating to fees to be charged by sheriffs, which act was approved March 12th, 1903.

Was read the first and second time, and
Referred to the committee on judiciary.

Mr. White introduced
House Bill No. 45,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to the investment of school funds.

Was read the first and second time, and
Referred to the committee on judiciary.

Mr. Stevens offered the following amendment to House Bill No. 45:

"Providing land appraised for loans shall not be appraised at a greater value than the sum for which they are assessed," and asked that same be sent with the original bill to the committee to which it was referred, which request was granted.

Mr. Piper introduced

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Which was read the first and second times and
Referred to the committee on highways and bridges.

Mr. Grant introduced

House Bill No. 47,

A bill for an act to provide for the payment to the owner of the value of animals destroyed under the provisions of article seventeen of the Political Code of North Dakota or because such animals were, at the time of their destruction, infected or afflicted with the disease commonly known as glanders.

Which was read the first and second times and
Referred to the committee on live stock.

Mr. Oveson introduced

House Bill No. 48,

A bill for an act to amend section 1531 of the Revised Codes of the state of North Dakota for 1905, relating to the state board of equalization.

Which was read the first and second time, and
Referred to the committee on taxation and tax laws.

Mr. Martin of Morton introduced

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Which was read the first and second time, and
Referred to the committee on state affairs.

Mr. Hannawalt introduced

House Bill No. 50,

A bill for an act to amend section 9455 of the Revised Codes of North Dakota, relating to game.

Which was read the first and second time, and
Referred to the committee on fish and game.

Mr. Cunningham introduced

House Bill No. 51,

A bill for an act fixing liability for damages caused by defective bridges.

Which was read the first and second time, and
Referred to the committee on highways and bridges.

Mr. Dean introduced

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Which was read the first and second time, and
Referred to the committee on judiciary.

Mr. Griffith introduced

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Which was read the first and second time, and
Referred to the committee on judiciary.

The courtesies of the floor were extended to Messrs. A. T. Crowl, J. G. Quinliven and Chas. Dickinson.

The house took a recess for ten minutes.

AFTER RECESS.

The speaker announced the appointment of the following named janitors: N. C. Peters, Leon Durocher, Mons Olstad and John Hermon, and assigned them to the care of committee rooms.

REPORT OF SPECIAL COMMITTEE.

Pursuant to resolution adopted yesterday providing for additional employes the special committee appointed under that resolution made the following report:

Mr. Speaker:

MR. SPEAKER: Your special committee appointed to report on the different positions and employments necessary for the proper transaction of the business of the house that have not already been filled by election, would respectfully report recommending the appointment by the speaker persons to fill the following positions:

One clerk for each of the following committees:

Appropriation.

Apportionment.

Railroads.
State Affairs.
Engrossment.
Enrollment.
Privileges and Elections.
Insurance.
Education.
Ways and Means.
Revision and Correction of the Journal.
School and Public Lands.
Taxation and Tax Laws.
Also,
One desk clerk.
One mailing clerk.
On voucher clerk.
One assistant messenger.
One assistants janitor.
One gallery door keeper.
One bookkeeper.
One assistant sergeant at arms.
Four stenographers.

O. J. SORLIE,
Chairman.

T. D. CASEY.

R. G. PIPER.

The speaker appointed the following employees in compliance with the committee's recommendations and the resolutions adopted, and assigned them to their respective positions as follows:

Miss Fern Lincoln, Miss Mary Lincoln, Miss Florence Connolly and Mrs. W. F. Cushing as stenographers.

Hans Krogh, clerk of committee on railroads.

Thormund Rasholt, clerk to committee on state affairs.

I. D. Parsons, clerk to committee on engrossment.

H. Kibbler, clerk to committee on privileges and elections.

J. Sonderall, clerk to committee on insurance.

O. N. Brekke, clerk to committee on ways and means.

S. O. Olson, clerk to committee on revision and correction of the journal.

Henry Bogstie, assistant at desk.

H. Warner, voucher clerk.

A. Bjornson, mailing clerk.

W. L. Dudley, clerk to committee on schools and public lands.

F. E. Packard, clerk to committee on taxes and tax laws.

Miss Vivian Turner, bookkeeper.

R. T. Healy, clerk to committee on appropriations.

Olof Roe, clerk to committee on apportionment.

The speaker also assigned the following clerks:

E. C. H. Smith, clerk to committee on enrollment.

T. Hampton, assistant messenger.

A. M. Greenfield, assistant sergeant at arms.

G. Osgood, assistant to bill room clerk.

The speaker administered the oath of office to Miss Fern Lincoln, Miss Mary Lincoln and Mrs. W. F. Cushing as stenographers and J. Sondrall committee clerk.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed and

The house adjourned.

P. D. NORTON,
Chief Clerk.

TENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 17, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Dibley, Hankinson, Giedt, Johnson of Ward and Simpson, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the eighth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 16, line 20, after name "Martin" insert the words "of Morton."

Your committee on revision and correction of the journal of the ninth day, have carefully examined the same and recommend that the same be corrected as follows :

Page 12, line 2, change name "H. L. Dudley" to "W. L. Dudley."

Page 12, line 6, change name "Ole Rue" to "R. T. Healy."

Page 11, last line, change name "H. Warner" to "J. A. Warner."

Page 7, line 16, after word "first" insert the words "and second;" same line, change the word "reading" to "readings."

Page 11, line 32, change name "Kroug" to "Krogh."

Page 5, line 17, change figures "928" to "728" and figures "92.80" to "72.80."

Page 10, line 25, change name "Dueocher" to "Durocher."

Page 12, first line, change words "assistant janitor" to "mailing clerk."

Page 12, after line 6 insert as line 7, "Olaf Roe clerk to committee on apportionment."

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Butts presented the following petition :

To the House of Representatives:

GENTLEMEN: As a citizen of this state I most respectfully petition your honorable body to take speedy and favorable action upon the joint resolution introduced by Representative Buttz on the 16th inst., which resolution favors the passage by the congress of the United States of certain amendments to the act of congress removing the internal revenue from alcohol for the purposes of denaturization. While it is generally believed throughout our state that all of our representatives in congress are favorably disposed toward this measure and are willing to support it in congress, yet it will be of great encouragement and assistance to them to know that their constituents heartily approve the measure and are exceedingly anxious that it become a law.

As the law now stands, under the rules and regulations established by the commissioner of internal revenue, only the corporations and moneyed men can utilize the law to advantage, but with the proposed amendment enacted into law, men of small means can establish their distilleries and manufacture the denatured alcohol not only for their own benefit, but for the community in which they reside.

Your petitioner further requests that the committee and the house take speedy action on said resolution, because the present session of congress will expire by constitutional limitation on March 4th, so that whatever action is taken must be done at once as there is but little more than one month of the session left in which congress may act.

Your petitioner regrets that there should be even an indication of a difference of opinion as to the advisability of urging the enactment of a law so vitally important to the welfare of the inhabitants of our state.

I clip the following article from the Minneapolis Journal of January 15th in reference to denatured alcohol and I make the same a part of this petition and ask that it be read to the house and referred, together with this petition, to the committee on state affairs to be considered by them in connection with said resolution.

"The Standard Alcohol company of Minneapolis, the incorporation of which was noted in the Journal yesterday, expects to have a plant erected and in operation at LeSueur by August 1, and producing 10,000 gallons of alcohol a day.

"The alcohol is to be manufactured from wheat, oats, corn and potatoes, by a secret process, purchased from the inventor in Germany. The manufacturers claim that they can place a high grade denatured alcohol on the market for general industrial purposes, for 20 cents a gallon retail. Those behind the venture look for great things from their establishment which will be the first of its kind in the United States, and claim that already they have received large orders for alcohol and will have no trouble in disposing of as much as they can manufacture.

"The factory at LeSueur will occupy a building 60x80 feet and five stories in height. There is also a storehouse to be used of 100 cars capacity. The factory is to be operated with expert help, part of which will be brought from Germany.

"As soon as the Minnesota plant is completed, the Minneapolis promoters intend to get busy with the erection of a plant in North Dakota. The exact location has not yet been determined.

"The men behind the venture believe that the denatured alcohol will eventually be extensively used for industrial purposes; at first it will be introduced for domestic cooking. The claim is made that for this purpose alcohol cook stoves are "the real thing." They are ahead of gas in that they are cheaper. They are ahead of gasoline or oil in that they are cleaner, give greater heat, are non-explosive, odorless and smokeless.

"A second use to which the manufacturers expect their product will be called, is for automobiles. The alcohol will be sold at the same price as high-grade gasoline, but will be much more efficient in every desirable way, not the least being the absence of odor."

Respectfully submitted,

C. W. BUTTZ,

Petitioner.

Referred to the committee on state affairs at the request of Mr. Buttz.

COMMUNICATION FROM ATTORNEY GENERAL.

The following communication was received from the attorney general:

To the House of Representatives, Bismarck, N. D.:

GENTLEMEN: I have your communication of the 15th inst., submitting to me the following resolution:

"*Resolved*, That the attorney general is hereby required to give his opinion in writing as to the legality of section 605 of the Political Code of 1906, relating to the qualifications of electors, and report the same to the house at once."

In conformity with the above resolution, I herewith submit my opinion. First, there is no code of 1906, but I take it that the house referred to the political code of 1905. Section 605 of the political code of 1905 was evidently passed by the legislature with the intent to add to article 5 of the constitution of the state of North Dakota, which designates what shall constitute the elective franchise of this state. Construing article 5 of the constitution, together with article 2 of the amendments to the constitution of the state of North Dakota, it is my opinion that the provision in section 605 of the political code, which gives an elector the right to vote in a precinct in which he has not resided ninety days next preceding an election, is unconstitutional. I do not think that the legislature can add to or abridge any provision of the constitution other than by amendment thereto as provided by law.

I have the honor to remain,

Yours respectfully,

T. F. McCUE,

Attorney General.

REPORT OF SELECT COMMITTEE.

Mr. Speaker:

Your committee on assignment of committee rooms beg leave to make the following report:

The judiciary committee will meet in the northwest room on the basement floor.

The committee on state affairs will meet in room adjoining same.

The committees on railroads, taxes and tax laws, educational, warehouse and grain grading will meet in agricultural exhibit rooms Nos. 1 and 2, basement floor.

The committees on highways, bridges and ferries, immigration, public printing, forestry, public debts will meet in agricultural exhibit room No. 3, basement floor.

The committees on drainage and irrigation will meet in state engineer's office, basement floor.

The committee on military affairs will meet in adjutant general's office.

The committees on appropriation, temperance, manufacturers, revision and correction of journal will meet in room No. 1, off of cloak room of house floor.

The committees on elections and privileges, banking, county and county boundaries, federal relations, fish and game laws and rules will meet in room No. 2, off of cloak room of house.

Committees on ways and means, insurance, supplies and expenditures, mileage and per diem will meet in house cloak room.

Committees on apportionment, municipal corporations, corporations other than municipal, engrossing, enrollment, will meet in old senate chamber, third floor.

Committees on agriculture, school and public lands, public health, coal land and mining, live stock, will meet north end upper floor law library.

Mr. Daniel M. Slattery, superintendent of the building, gave efficient aid to your committee in selecting and designating the foregoing rooms for the use of the various committees, and we have requested him to cause to be printed the necessary cards with the names of the various committees thereon, and have the same posted at the proper places at said rooms.

Respectfully submitted,

C. W. BUTTZ,

T. E. TUFTE.

T. O. BURGUM.

Your committee offer the following resolution :

Resolved, That the house of representatives adopt the report made by its special committee, and hereby assign the rooms named and designated by said committee in their report to the various committees therein named.

And the report was adopted by the house.

UNFINISHED BUSINESS.

Mr. Casey moved

That the vote by which resolution allowing extra copies of bills and journals to members was referred to general orders be reconsidered.

Which motion prevailed.

Mr. Casey moved

That the resolution as introduced by Mr. Burgum on the first day,

Resolved, That there be printed and furnished each member of the legislative assembly three extra copies of the journals and bills of the respective houses, and that all correspondents of the press be supplied with files of the bills and journals.

Be adopted.

Which motion prevailed, and

The resolution was adopted.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Halaas introduced

House Bill No. 54,

A bill for an act amending section 1 of chapter 75 of the Session Laws of 1903 relating to deposits of county funds.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Halaas introduced

House Bill No. 55.

A bill for an act requiring that certain employees of railroad companies be examined and require them to secure a license before entering upon their duties as such employees.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Freeman of Bottineau introduced

House Bill No. 56,

A bill for an act to define who are public threshermen and to provide a security for the payment of the operating expenses of their machines.

Which was read the first and second times and

Referred to the committee on labor.

Mr. Duncan introduced

House Bill No. 57,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption of real estate taxes.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Burdick introduced

House Bill No. 58,

A bill for an act regulating the handling of freight in car load lots by railroad companies, shippers and consignees, and equalizing car service charges and penalties, for the use and detention of cars and failure to furnish cars and transport the same.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. J. M. Anderson introduced

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens

and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Tufte introduced

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Church introduced

House Bill No. 61,

A bill for an act to amend section 8346 of the Revised Codes of North Dakota for the year 1905, relating to justices' code.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Church introduced

House Bill No. 62,

A bill for an act requiring all persons, firms associations, corporations, or trustees operating managing and conducting public warehouses within this state, to install therein suitable, sufficient, and modern machinery for cleaning of grain offered for sale or storage at any such warehouse, requiring them to clean the same upon demand and regulating charges therefor.

Which was read the first and second times and

Referred to the committee on warehouse and grain grading.

Mr. Haugen introduced

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Casey introduced

House Bill No. 64,

A bill for an act providing for the revision and com-

pilation of the school laws of the state of North Dakota and appropriate money therefor.

Which was read the first and second times and
Referred to the committee on education.

Mr. Oveson introduced

House Bill No. 65,

A bill for an act to amend section 3062 of the Revised Codes of North Dakota for 1905, relating to township officers.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Midgarden introduced

House Bill No. 66,

A bill for an act to secure earnings of laborers for work for operators of threshing machines.

Which was read the first and second times and
Referred to the committee on labor.

Mr. Ueland introduced

House Bill No. 67,

A bill for an act appropriating money for paying the indebtedness on superintendent's residence and for building a machine shed and seed house and for other improvements at Edgeley sub-experiment station.

Which was read the first and second times and
Referred to the committee on appropriations.

The speaker announced a recess of ten minutes.

AFTER RECESS.

The house reassembled.

The speaker administered the oath of office to W. L. Dudley, clerk to committee on schools and public lands; to F. E. Packard, clerk to committee on taxes and tax laws; to J. A. Warner as voucher clerk; to Geo. Osgood as assistant bill room clerk; to A. Bjornson as mailing clerk; to R. T. Healy, clerk to committee on appropriations; and Olaf Roe, clerk to committee on apportionment.

Mr. Stevens moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 18, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. A. W. Hays.

Roll call.

All members present except Messrs. Brodie, Dibley, Hankinson, Johnson of Ward and Simpson, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the tenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 2, line 20, strike out the word "that" and in same line change the word "be" to "was."

Page 8, line 35, change the word "appropriation" to "apportionment."

Page 4, lines 28-29, change word "emigration" to "immigration."

Page 4, lines 35-36, change word "manufactureries" to "manufactures."

Page 4, line 36, insert comma after the word "manufactures."

Page 4, line 36, change the word "committee" to "committees."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Sorley of Grand Forks presented the following resolution:

WHEREAS, There is now pending before congress a bill providing for the payment of large subsidies to eight favored steamship lines; and

WHEREAS, We believe that the giving away of public funds as provided in said bill is in the interest of a few favored corporations and at the expense of the general public; and

WHEREAS, It appears from the Minneapolis Journal of the 17th inst. that said bill is reported favorably from committee and is therefore liable to come up for consideration at an early date, which article referred to is as follows:

CONGRESS AMAZED BY THE SUBSIDY BILL

Measure " Sneaked " Into House from Committee Grants
Mail Bonuses

HILL AND HARRIMAN LISTED FROM \$700,000

La Follette and Spooner Are Expected to Oppose Bill in
Senate

"Chicago, Jan. 16.—A Washington special to the Chicago Tribune says: These are the annual subsidies to be paid to certain favored steamship lines under the terms of the new subsidy bill, which was reported out from the committee late yesterday by the use of some of the most extraordinary tactics ever resorted to in the house of representatives:

Harriman's line to Japan, \$700,000.

J. J. Hill's line to Japan, \$700,000.

Spreckels' line to Australia, \$200,000.

New York to Buenos Aires, \$800,000.

New York to Rio de Janeiro, \$600,000.

San Francisco to Valparaiso, \$600,000.

New Orleans to Colon, \$150,000.

Total, \$3,750,000.

"The new subsidy bill may prove to be a good measure. It is at least definite in the amount of money to be spent. It is, however, tainted from the start by the methods used to bring it before the house, and Speaker Cannon and Representative Watson of Indiana, without whose assistance the schemes could not have been worked, probably will come in for a good deal of criticism on that account, although it may be taken for granted that both of them are convinced of the wisdom of such a measure and were therefore willing to overlook some unusual methods of procedure.

"What will happen when the bill is considered in the house no one knows, but the chances are that there will be enough republicans and democrats who will be afraid to vote for a donation of money from the public treasury to Hill, Harriman and Spreckels, to cut those lines out of the list.

"It is also intimated that if Mr. Watson has correctly counted noses it will be held up in the senate by Mr. LaFollette of Wisconsin, assisted probably by his colleague, Senator Spooner, with whom, on this proposition at least, he is in entire accord.

"The extraordinary thing about the bill just reported is that it was never offered in the house, has never been considered by the committee and no arguments for or against it have ever been heard in the committee or anywhere else. It eliminates the tonnage subsidies, of which the president was most in favor, retains the provision for a sort of naval reserve and specifies particular lines as given above, which will get the benefit of mail subsidies annually.

"In the case of the Pacific lines, except the one to Valparaiso, it is not likely a single new ship will be built. No one of them runs directly and exclusively to any of the colonial ports of the United States.

"The subsidies for the Atlantic coast are so framed that two parallel lines are provided for, each having a mail subsidy, and they will run side by side at least as far as Pernambuco, where they must both coal, one then stopping at Rio de Janeiro and the other going on to Buenos Aires.

"A motion in committee to combine the subsidies so as to provide for a single line stopping at Rio de Janeiro was voted down, and similar motions to cut out the enormous subsidies which would be paid under the bill to Harriman, Hill and Spreckels for carrying the mails on lines which are already in commission were also defeated.

"It will, perhaps, open the eyes of some people to the extraordinary power behind the subsidy combination when it is learned that the leaders of the house consented to adjourn that body at 4 p. m., thereby delaying action on the fortification appropriation for the express purpose of permitting the committee on merchant marine to meet at that hour and report out this new subsidy bill, which first saw the light of day at a dinner given by Representative Littauer of New York. He had been a member of the committee a little over twenty-four hours and is now serving his last term in congress, so that he is independent of public opinion.

The adjournment of the house of course was provided for by Representative Watson of Indiana, the republican whip, and it was accomplished with the consent of Speaker Cannon, who was aware of the purpose for which the early adjournment was made.

"Unfortunately for the political record of the republicans, the alignment in the committee shows that the subsidy bill, carrying its donations to Harri-man, Hill and Spreckles, was reported out by the vote of eight republicans; four democrats and three republicans voting against it."

Be it, therefore, Resolved, That our representatives in congress are hereby requested to vote against said measure and to use their influence in accom-plishing its defeat. Be it further

Resolved, That the chief clerk of this house is hereby instructed to mail copies of this resolution to each of our representatives in congress.

Mr. Sorley of Grand Forks moved the adoption of the resolution.

Mr. Buttz moved as an amendment that the resolution be referred to the committee on state affairs.

Mr. Stevens moved as a substitute

That all of that part of the resolution taken from news-papers be stricken out.

Roll call demanded.

The question being on the substitute motion,

The roll was called and there were ayes 61, nays 25, ab-sent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Plath
Anderson, Bernt	Graham	Pugh
Anderson, O. P. N.	Grant	Purdon
Andrus	Griffith	Putnam
Blake	Halaas	Restemayer
Burdick	Hosford	Rohs of Morton
Buttz	Jensen	Rose of Dickey
Carter	Johnson of Sargent	Schlenker
Chapman	Jones of Ransom	Shannafelt
Church	Law	Sinclair
Collins	Martin of Billings	Shirley
Crawford	Mathews	Stevens
Cunningham	McDowall	Storey
Dean	Miller	Streeter
Duncan	Mockler	Swendseid
Elhard	Monek	Thoreson
Evans	Moore	Treat
Flamer	Murphy	Wake
Freeman	Nelson of Traill	Watts
Ganssle	Peake	Mr. Speaker
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hemmingsen	Steen
Blegen	Johnson of Pembina	Tofsrud
Brotnov	Morin	Tufte
Casey	Nelson of Steele	Ueland
Connolly	Parkhill	Walker
Garden	Piper	Wedge
Hanawalt	Sorley of Grand Forks	Welford
Hanson	Sorlie of Traill	White
Eaugen		

Absent and not voting:

Messrs.—

Aaker
Brodie
Burgum
Dibley
Hallick

Messrs.—

Hankinson
Johnson of Ward
Jones of Barnes
Martin of Morton
Midgarden

Messrs.—

Oveson
Simpson
Stavens
Syvertson

Messrs. Brodie, Dibley, Hankinson, Johnson of Ward and Simpson being excuse.d

So the substitute motion prevailed.

Mr. Sorley of Grand Forks moved

That the last four lines preceding the newspaper clipping be stricken out.

Which motion prevailed, and

The resolution was so amended.

Mr. Blake moved

That the resolution as it is now left be referred to the committee on state affairs.

Which motion prevailed and

The resolution was so referred.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 18, 1907.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 2,

A bill for an act to amend chapter 30 of the Political Code of the state of North Dakota Revised Code of 1905, relating to cities.

Also,

Senate Bill No. 3,

A bill for an act to amend section 6710 of the Civil Code of the Revised Codes of North Dakota of 1905.

Which the senate has passed and your favorable consideration thereof is requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Mockler made the following motion :

WHEREAS, The original House Bill No. 7 has been reported lost by the state printer; therefore, I move you that the printed copy of said bill be substituted for the original with the following corrections: In line 32 change the word "tracts" to "tracks" and inserting a comma after the word "extent" in line 38.

Which motion prevailed, and
The resolution was adopted.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Connolly introduced

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota, relating to liens on future interest.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. Halaas introduced

House Bill No. 69,

A bill for an act to amend section 3 of chapter 82 of the Laws of 1897, being section 8403 of the Revised Codes of the state of North Dakota, 1905, relating to how summons shall be served in garnishment.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Freeman introduced

House Bill No. 70,

A bill for an act requiring county commissioners to furnish an official bond to his county.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. O. P. N. Anderson introduced

House Bill No. 71,

A bill for a concurrent resolution to amend the constitution of the state of North Dakota.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Midgarden introduced

House Bill No. 72,

A bill for an act to amend section 814 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Midgarden introduced

House Bill No. 73,

A bill for an act entitled: "An act to amend sections 2366, 2367, 2368 and 2369 of the Revised Codes of 1905, relating to the removal of county seats."

Which was read the first and second times and

Referred to the committee on county and county boundaries.

Mr. Walker introduced

House Bill No. 74,

A bill for an act to aid and encourage education in small rural schools and appropriating money therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Walker introduced

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Which was read the first and second times and

Referred to the committee on education.

Mr. Sorlie of Traill introduced

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Walker introduced

House Bill No. 77,

A bill for an act to amend and re-enact section 2613 of the Revised Codes of 1905.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Shannafelt introduced

House Bill No. 78,

A bill for an act to amend and re-enact section 2617 of the Revised Codes of 1905.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Stevens introduced

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Cunningham introduced

House Bill No. 80,

A bill for an act requiring railroad corporations to fence both sides of any portion of its road and making it liable for any damages sustained by reason of its failure to do so.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Ueland introduced

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendent of the Edgely sub-experiment station.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. O. P. N. Anderson introduced

House Bill No. 82,

A bill for an act to encourage elementary education and appropriate money therefor.

Which was read the first and second times and
Referred to the committee on education.

Mr. Piper introduced.

House Bill No. 83,

A bill for an act amending section 2385 of the Revised Codes of 1905, relating to the term of eligibility of certain county officers.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Treat introduced

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Law introduced

House Bill No. 85,

A bill for an act to repeal sections 2180, 2181, 2182, 2183, 2184, 8285, 2186 and 2187 of the Revised Codes of North Dakota of 1905, being chapter 194 of the Session Laws of 1905, relating to appointment, duties and compensation of inspector of weights and measures.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Pugh by request introduced

House Bill No. 86,

A bill for an act providing for the assessment of freight line and equipment companies.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

The house returned to the seventh order of business

MOTIONS AND RESOLUTIONS.

And Mr. Aaker offered the following resolution and moved its adoption:

Resolved, That the committee on public printing be authorized and instructed to investigate and to report to the house of representatives as soon as possible whether or not it would be advisable to establish a state printing press at the state penitentiary.

Which motion prevailed, and

The resolution was adopted.

Mr. Aaker offered the following resolution and moved its adoption:

Be it Resolved, That the committee on state affairs be requested and instructed to secure estimates as near as possible as to the cost of increasing the capacity of the penitentiary twine plant. Such cost to be based on the twenty-five per cent as well as on a fifty per cent increase. Also to secure information whether or not it would be to the best interest of the state to increase the capacity of said plant.

Which motion prevailed, and

The resolution was adopted.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 2,

A bill for an act to amend chapter 30 of the Political Code of the state of North Dakota Revised Code of 1905, relating to cities.

Which was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 3,

A bill for an act to amend section 6710 of the Civil Code of the Revised Codes of North Dakota of 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

The speaker administered the oath of office to Leon Durocher, Herbert Kibler, I. D. Parsons.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

TWELFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 19, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Adams, Andrus, Brodie, Crawford, Dibley, Evans, Gibbens, Griffith, Hosford, Martin of Billings, Mathews, McDowell, Morin, Murphy, Piper, Rohs of Morton, Rose of Dickey, Simpson Sinclair, Shirley, Story, Treat, Walker and Watts who were excused.

Mr. Sorley of Grand Forks rose to a question of personal privilege.

SPECIAL COMMITTEE REPORT.

Mr. Speaker:

The committee to select rooms for house committees beg leave to make the following supplementary report. We find that to avoid conflict with arrangements of the senate committees some changes must be made. Therefore, we have arranged to have the following committees meet in the attorney general's office:

Taxes and tax laws,

Education,

Warehouses and grain grading, and railroads.

The following named committees will meet in south half of law library, upper floor:

Highways, bridges and ferries,

Immigration,

Public printing,

Forestry and public debts.

Respectfully submitted,

C. W. BUTTZ,

T. O. BURGUM,

T. E. TUFTE,

Committee.

January 19, 1907.

Resolved, That the house agrees to the change of committee rooms as indicated by the report of the special committee, and now assigns the rooms as indicated in the supplementary report hereto attached to the committees therein named.

Mr. Buttz moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

The speaker administered the oath of office to S. A. Olsness and Hans Krogh.

On request of Mr. Blake the privileges of the floor were extended to Sheriff Jackman and Jens Peterson of Sargent county.

Mr. Stevens moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,

Chief Clerk.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 21, 1907.

The house assembled at 2 o'clock, p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Dibley, Flamer, Hallick, Hankinson, Piper, Purdon, Rohs of Morton and Simpson, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the eleventh day have carefully examined the same and recommend that the same be corrected as follows:

Page 9, after line 26, insert as line 27 "which was read the first and second times and."

Page 1, line 22, change the word "lie" to "be."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on state affairs made the following report:
Mr. Speaker:

Your committee on state affairs to whom was referred the resolution introduced by Mr. Sorley of Grand Forks in relation to the matter of ship subsidies,

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. Anderson moved the adoption of the report.

Mr. Stevens offered the following substitute resolution and moved its adoption:

WHEREAS, The republican platform of 1888 declared: "We earnestly recommend that prompt action be taken by congress in the enactment of such legislation as will best secure the rehabilitation of our merchant marine, and we protest against the passage by congress of a free-ship bill as calculated to work injustice to labor by lessening the wages of those engaged in preparing the materials as well as those directly employed in our ship-yards;" and

WHEREAS, President Harrison in his first inaugural message to congress, March 4, 1889, thus proclaimed his devotion to the cause of American shipping: "We should encourage the establishment of American steamship lines. The exchanges of commerce demand stated, reliable and rapid means of communication, and until these are provided the development of our trade with the states lying south of us is impossible." In his first annual message to congress on December 3, 1889, President Harrison enlarged upon this theme with growing emphasis: "There is nothing more justly humiliating to the national pride and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. * * * I recommend that such appropriations be made for ocean mail service in American steamships, between our ports and those of Central America, China and Japan and the important islands in both of the great oceans, as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair degree equalize the chances of American steamship lines in the competition which they must meet. That

the American states lying south of us will gladly co-operate in establishing and maintaining such lines of steamships to their principal ports, I do not doubt. We should also make provision for a naval reserve to consist of such merchant ships, of American construction and of a specific tonnage and speed, as the owners will consent to place at the use of the government in case of need as armed cruisers. England has adopted this policy and as a result can now upon necessity at once place upon her naval list some of the fastest steamships in the world. A proper supervision of the construction of such vessels would make their conversion into effective ships of war very easy. * * * I am an advocate of economy in our national expenditures, but it is a misuse of terms to make this word describe a policy that withholds an expenditure for the purpose of extending our foreign commerce. The enlargement and improvement of our merchant marine, the development of a sufficient body of trained seamen, the promotion of rapid and regular mail communication between the ports of other countries and our own, and the adaptation of large and swift American merchant steamships to naval uses, in time of war, are public purposes of the highest concern. The enlarged participation of our people in the carrying trade, the new and increased markets that will be found for the products of our farms and factories, and the fuller and better employment of our mechanics which will result from a liberal promotion of our foreign commerce, insure the widest possible diffusion of benefit to all the states and to all the people. Everything is most propitious for the present inauguration of a liberal and progressive policy upon this subject, and we should enter upon it with promptness and decision." And

WHEREAS, President Harrison in his second message to congress on December 1, 1890, made the merchant marine again the subject of a most earnest and emphatic recommendation: "I desire to repeat with added urgency the recommendations contained in my last annual message in relation to the development of American steamship lines. The reciprocity clause of the tariff bill will be largely limited, and its benefits retarded and diminished if provision is not contemporaneously made to encourage the establishment of first-class steam communication between our ports and the ports of those nations as may meet our overtures for enlargement of commercial exchanges. The steamship carrying the mails steadily and frequently, offering to passengers a comfortable, safe and speedy transit, is the first condition of foreign trade. It carries the order or the buyer, but not all that is ordered or bought. It gives to the sailing vessels such cargoes as are not urgent or perishable, and indirectly at least, promotes that important adjunct of commerce. There is now both in this country and in the nations of Central and South America a state of expectation and confidence as to increased trade that will give a double value to your prompt action upon this question." And

WHEREAS, President McKinley, in a debate in the house of representatives on May 7, 1890, said: "If the United States would give the same encouragement to her merchant marine and her steamship lines as is given by other nations to their ships, this commerce on the seas under the American flag would increase and multiply. When the United States will spend from her treasury from \$5,000,000 to \$6,000,000 a year for that purpose, as do France and Great Britain to maintain their steamship lines, our ships will plow every sea in successful competition with the ships of the world. Will you gentlemen join us in encouraging our merchant marine?" In his inaugural address delivered March 4, 1897, he said: "Congress should give prompt attention to the restoration of our American merchant marine, once the pride of the seas on all the great ocean highways of commerce. To my mind few more important subjects so imperatively demand its intelligent consideration. The United States has progressed with marvelous rapidity in every field of enterprise and endeavor until we have become foremost in nearly all of the great lines of inland trade, commerce and industry. Yet, while this is true, our American merchant marine has been steadily declining

until it is now lower, both in the percentage of tonnage and the number of vessels employed, than it was prior to the civil war. Commendable progress has been made of late years in the upbuilding of the American navy, but we must supplement these efforts by providing as a proper consort for it a merchant marine amply sufficient for our own carrying trade to foreign countries. The question is one that appeals both to our business interests and the patriotic aspirations of a great people." An on December 5, 1899, after our experience of the Spanish war, in a special message to congress President McKinley said: "The value of an American merchant marine to the expansion of our commercial trade and the strengthening of our power upon the sea invites the immediate attention of the congress. Our national development will be one-sided and unsatisfactory so long as the remarkable growth of our inland industries remains unaccompanied by progress on the seas. There is no lack of constitutional authority for legislation which shall give to the country maritime strength commensurate with its industrial achievement and with its rank among the nations of the earth. Last year American vessels transported a smaller share of our exports and imports than during any former year in all our history, and the measure of our dependence upon foreign shipping was painfully manifested to our people. Without any choice of our own, but from necessity, the departments of the government charged with military and naval operations in the East and West Indies had to obtain from foreign flags merchant vessels essential for those operations. The other nations have not hesitated to adopt the required means to develop their shipping as a factor in national defense and as one of the surest and speediest means of obtaining for their producers a share in foreign markets. Like vigilance and opportunity on our part cannot fail but improve our situation, which is regarded with humiliation at home and surprise abroad. Even the seeming sacrifices, which at the beginning may be inevitable, will be offset later by more than equivalent gains. The expense is as nothing compared to the large object achieved. The re-establishment of our merchant marine involves in a large measure our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing, which, with the increase of our navy, means more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world." In his fourth message to congress, December 3, 1900, President McKinley said: "American vessels during the past three years have carried about 9 per cent of our exports and imports. Foreign ships should carry the least, not the greatest, part of American trade. The remarkable growth of our steel industries, the progress of shipbuilding for the domestic trade, and our steadily maintained expenditures for the navy have created an opportunity to place the United States in the first rank of commercial maritime powers. Besides realizing a proper national aspiration this will mean the establishment and healthy growth along all our coasts of a distinctive national industry, extending the field for the profitable employment of labor and capital. It will increase the transportation facilities and reduce freight charges on the vast volume of products brought from the interior to the seaboard for export, and will strengthen an arm of the national defense upon which the founders of the government and their successors have relied. In again urging immediate action by the congress on measures to promote American shipping and foreign trade, I direct attention to the recommendation on the subject in previous messages, but particularly to the opinion expressed in the message of 1899: 'I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing, which, with the increase of our navy, means more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world.'" In President

McKinley's last words to his fellow citizens, delivered at the Pan-American exposition on that fateful September 5, 1901, just before the bullet of the assassin struck him, he said of the merchant marine: "Then, too, we have inadequate steamship service. New lines of steamers have already been put into commission between the Pacific coast ports of the United States and those of the western coast of Mexico and Central and South America. These should be followed up with direct lines between the eastern coast of the United States and South American ports. One of the needs of the times is direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense, they will be messengers of peace and amity wherever they go." In President Roosevelt's first message to congress, December 3, 1901, he said: "The condition of the American merchant marine is such as to call for immediate remedial action by the congress. It is discreditable to us as a nation that our merchant marine should be utterly insignificant in comparison to that of other nations, which we overstep in other forms of business. We should no longer submit to conditions under which only a trifling portion of our great commerce is carried in our own ships, to remedy this state of things we would not merely serve to build up our own shipping interests, but it would also result in benefit to all who are interested in the permanent establishment of a wider market for American products, and would provide an auxiliary force for the navy. Ships work for their own countries, just as railroads work for their terminal points. Shipping lines, if established to the principal countries with which we have dealings, would be of a political as well as a commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships. At present American shipping is under certain great disadvantages, when put into competition with the shipping of foreign countries. Many of the fast foreign steamers at a speed of fourteen knots or above have subsidized; and all our ships, sailing vessels and steamers alike, cargo carriers of slow speed, and mail lines of high speed, have to meet the fact that the original cost of building American ships is greater than is the case abroad; that the wages paid American officers and seamen are very much higher than those paid to officers and seamen of foreign competing countries; and that the standard of living on our ships is far superior to the standard of living on the ships of our commercial rivals. Our government should take such action as will remedy these inequalities. The American merchant marine should be restored to the ocean." In his message of April 28, 1904, President Roosevelt said: "While every other industry has prospered under the fostering aid of republican legislation, American shipping, engaged in foreign trade in competition with the low cost of construction, low wages and heavy subsidies of foreign governments, has not for many years received from the government of the United States adequate encouragement of any kind. We therefore favor legislation which will encourage and build up the American merchant marine and we cordially approve the legislation of the last congress which created the merchant marine commission to investigate and report upon this subject." In his message to congress in December, 1904, he said: "I especially commend to your consideration immediate attention for the encouragement of our merchant marine by appropriate legislation." In his message to congress, dated the 7th day of December, 1906, President Roosevelt said: "Let me once again call the attention of the congress to two subjects concerning which I have frequently before communicated with them. One is the question of developing American shipping. I trust that a law embodying in substance the views or a major part of the views expressed in the report on this subject laid before the house at its last session will

be passed. I am well aware that in former years objectionable measures have been proposed in reference to the encouragement of American shipping, but it seems to me that the proposed measure is as nearly unobjectionable as any can be. It will of course benefit primarily our seaboard states—such as Maine, Louisiana and Washington—but what benefits part of our people in the end benefits all, just as government aid to irrigation and forestry in the west is really of benefit not only to the Rocky Mountain states, but to all our country. If it prove impracticable to enact a law for the encouragement of shipping generally, then at least provision should be made for better communication with South America, notably for fast mail lines to the chief South American ports. It is discreditable to us that our business people, for lack of direct communication in the shape of lines of steamers with South America, should in that great sister continent be at a disadvantage compared to the business people of Europe.” And

WHEREAS, Our members of congress have ever proven faithful to the interests of the state they represent; and

WHEREAS, A resolution out of harmony with the recommendations of President Roosevelt might in some manner embarrass them in their official duties; and

WHEREAS, The subject is so broad, so deep and so vital that without further knowledge upon the subject we are unprepared to give it that careful consideration and conscientious action that they with their enlarged facilities for the gaining of knowledge upon the subject are able to do; therefore, be it

Resolved, That the question of opposing the adoption or rejection of legislation in connection with our merchant marine be respectfully referred to our delegation in congress for their careful consideration and conscientious action.

Mr. O. P. N. Anderson moved as an amendment that the original resolution together with the substitute resolution be re-referred to the committee on state affairs,

Which motion prevailed and

The same was re-referred to the committee on state affairs.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred joint resolution introduced by Mr. Buttz, relating to denatured alcohol,

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. Buttz moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred

the concurrent resolution introduced by Mr. Grant relating to the placing of lumber on the free list.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on joint rules make the following report:

Mr. Speaker:

Your committee on joint rules beg leave to report the same joint rules for the government of the senate and house as were adopted by the legislative assembly of 1905, and recommend that the secretary of state be authorized to incorporate them in proper form in the legislative manual for 1907, which shall also contain similar information to that contained in the last manual, and when printed that copies be furnished the state officers, and ten copies to each member of the tenth legislative assembly; one to each newspaper in the state, exchange with other states, and sufficient copies shall be retained by the secretary of state to supply each member of the eleventh legislative assembly with one copy, which shall be forwarded to him immediately upon his election. Advance sheets of the manual, containing the rules of each house and the standing committees, shall be furnished at once for the use of the respective bodies.

Respectfully submitted

C. D. RICE,
Chairman of the Senate Committee.

H. O. BLEGEN,
Chairman of the House Committee.

Mr. Blegen moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

REPORT OF COMMITTEE ON MILEAGE AND PER
DIEM.

Mr. Speaker:

Your committee on mileage and per diem, to whom the correction of mileage was referred, have had the same under consideration and recommend changes as follows:

Wedge changed from \$88.20 to \$92.80.

Elhart changed from \$18.00 to \$40.20.

Sinclair changed from \$16.00 to \$18.40.

Murphy changed from \$20.00 to \$36.00.

O. J. SORLIE,
Chairman.

Mr. Sorlie of Traill moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEE.

January 21, 1907.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock, to whom was referred
House Bill No. 47,

A bill for an act to provide for the payment to the owner of the value of animals destroyed under the provisions of article seventeen of the Political Code of North Dakota or because such animals were, at the time of their destruction, infected or afflicted with the disease commonly known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved
That the report be adopted,
Which motion prevailed and

The report of the committee was adopted and the further consideration of the bill was indefinitely postponed.

Mr. Duncan moved that the vote by which house bill No. 47 was indefinitely postponed be reconsidered,
Which motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker :

Your committee appointed to secure information as to the fuel situation in this state begs to report as follows :

The members from the various parts of the state report their districts to be in a very favorable financial condition, and from all available sources of information we are confirmed in the opinion that no where in the state is there need of financial aid to relieve fuel conditions. We find that the portion of the state lying west of the Missouri river and such other parts as have local deposits of coal are amply supplied. In other sections of the state your committee find that fuel shortage exists only at such places as are reached by branch lines of railroads, where transportation facilities are being hampered by snow blockades.

Reports of a reliable nature are made that shortages exist at the following towns: Osnabrook, Easby, Cando, Mohall, McCanna, Antler, Finley, Renville, and other towns similarly situated.

Your committee recommends that railway officials be requested to make special effort to relieve the places named and such other towns as may become short of fuel.

Respectfully,

D. E. BLAKE,
Chairman.

A. L. MARTIN,
S. N. PUTNAM,
J. M. ANDERSON,
CLARK MOORE.

Mr. Blake moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Sorlie of Traill offered the following resolution and moved its adoption :

Resolved, That the speaker appoint a committee of three to ascertain what privileges are granted to the present occupant of the restaurant in the basement of the capitol building. Also why sufficient food is not kept on hand to supply the needs of the members who wish to take lunch at the capitol.

Which motion prevailed, and

The speaker appointed as such committee: Messrs. Sorlie of Traill, Buttz and Adams.

Mr. Ueland introduced the following resolution and moved its adoption :

Resolved, That the state printer be authorized to print 500 extra copies of House Bill No. 26, providing for the initiative and referendum.

Mr. Stevens moved

That the resolution be amended by adding any such other information as the introducer of the bill sees fit to give us.

Which motion prevailed, and

The resolution as amended was adopted.

INTRODUCTION, FIRST AND SECOND READING
OF HOUSE BILLS.

The committee on fish and game introduced
House Bill No. 87,

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, wild animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

Which was read the first and second times and
Referred to the committee of the whole.

Mr. Wedge by request introduced
House Bill No. 88,

A bill for an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries and provisions used in operating the same.

Which was read the first and second time, and
Referred to the committee on ways and means.

Mr. Nelson of Traill introduced
House Bill No. 89,

A bill for an act making appropriation for improvements

and furnishings for the state normal school at Mayville, and for the construction of a woman's dormitory for said school.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Rose of Dickey introduced

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Which was read the first and second times and

Referred to the committee on warehouse and grain grading.

Mr. Giedt introduced

House Bill No. 91,

A bill for an act creating and establishing an agricultural experiment station at or near Ashley, McIntosh county, providing for its management and making appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Hemmingsen introduced

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Which was read the first and second times and

Which was referred to the committee on state affairs.

Mr. Hemmingsen introduced

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Which was read the first and second times and

Referred to the committee on municipal affairs.

Mr. Peake introduced

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Peake introduced

House Bill No. 95,

A bill for an act relating to boards of equalization.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Midgarden introduced

House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Midgarden introduced

House Bill No. 97,

A bill for an act to amend section 4337 of the Revised Codes of the state of North Dakota of 1905 relating to the distribution of cars between shippers by railroad companies.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Midgarden introduced

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Pugh introduced

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Which was read the first and second times and

Referred to the committee on education.

Mr. Pugh introduced

House Bill No. 100,

A bill for an act to amend section 1313 of the Revised Codes of 1905 of the state of North Dakota, relating to county fairs.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Grant introduced

House Bill No. 101,

A bill for an act requiring each county officer who receives from any county a stated salary for his services, to keep a record of the fees received by him, as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. Pugh introduced

House Bill No. 102,

A bill for a concurrent resolution suspending, delaying and postponing the operation of sections 1554 and 1571 of the Revised Codes of 1905, in so far as said sections relate to the attaching of penalties to delinquent personal and real property taxes assessed for the year 1906 until July 1st, 1907.

Which was read the first and second times, and
Referred to the committee on taxation and tax laws.

Mr. Oveson introduced

House Bill No. 103,

A bill for an act to amend and re-enact section 3081 of the Revised Code of 1905, relating to organization of town meetings.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Murphy introduced

House Bill No. 104,

A bill for an act providing for an equal distribution of

cars, prohibiting discriminations among shippers, and providing for reciprocal demurrage between railroads and shippers.

Which was read the first and second times, and
Referred to the committee on railroads.

Mr. Anderson of Grand Forks introduced
House Bill No. 105,

A bill for an act to amend section 170 chapter 4 of the Revised Codes of 1905, the same relating to the manner of sale of school lands.

Which was read the first and second time, and
Referred to the committee on school and public lands.

Mr. Aaker introduced
House Bill No. 106,

A bill for an act to amend section 2494 of the Revised Codes of 1905 relating to the duties of state's attorneys.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Dean introduced
House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Which was read the first and second times, and
Referred to the committee on ways and means.

Mr. Dean introduced
House Bill No. 108,

A bill for an act amending section 8279 of the Revised Codes of 1899, relating to criminal procedure.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Martin of Morton introduced
House Bill No. 109,

A bill for an act to establish a plant for the manufacturing of mowers, harvesters and binders at the state penitentiary near Bismarck, N. D., and authorizing the board of trustees of the said penitentiary to construct and operate such plant, and prescribing for the sale of the products of such plant, and making an appropriation therefor.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Casey introduced

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Which was read the first and second times and
Referred to the committee on judiciary.

On request of Mr. Stevens the speaker recalled senate bill No. 2 from the committee on judiciary and referred the same to the committee on municipal affairs.

On request of Mr. Freeman the privileges of the floor were extended to A. G. Burr of Bottineau.

The speaker administered the oath of office to Miss Vivian Turner.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 22, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Crawford, Hankinson, Jones of Ransom and Sinclair, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the first day have carefully examined the same and recommend that the same be corrected as follows:

Page 19, line 15, change name "Fred Norris" to "Joel Stebbins."

Page 19, line 11, after the word "clerk" insert "Rev. F. W. Stanton chaplain."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the first day after recess have carefully examined the same and recommend that the same be corrected as follows:

Page 2, line 26, after the word "to" insert "O. K. Hovet, sergeant at arms; J. L. Smith, janitor; Fred James, page."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the ninth day have carefully examined the same and recommend that the same be corrected as follows:

Page 12, line 14, after the word "stenographers" insert "O. N. Brekke."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the fourteenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 7, line 2, change word "members" to "lumber."

Page 9, line 9, correct spelling of word "districts."

Page 9, line 30, change name "S. M. Putnam" to "S. N. Putnam."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEE.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 54,

A bill for an act amending section 1 of chapter 75 of the Session Laws of 1903 relating to deposits of county funds.

Have had the same under consideration and recommend that the same be amended as follows: amend the title by

striking out all in printed bill after the word "amending" and insert in lieu thereof the words, "section 2439 of the Revised Codes of 1905 relating to county funds." Change lines 1 and 2 to read as follows: "Section 2439 of Revised Codes of 1905 be amended and re-enacted to read as follows." In line 3 strike out figure 1 after word section and insert 2439 and the words sinking fund.

And when so amended recommend that the same do pass.

K. O. BROTN OV,
Chairman.

Mr. Brotnov moved

That the report be adopted,
Which motion prevailed; and
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 85,

A bill for an act to repeal sections 2180, 2181, 2182, 2183, 2184, 2185, 2186 and 2187 of the Revised Codes of North Dakota of 1905, being chapter 194 of the Session Laws of 1905, relating to appointment, duties and compensation of inspector of weights and measures.

Have had the same under consideration and recommend that the same do pass.

K. O. BROTN OV,
Chairman.

Mr. Brotnov moved

That the report be adopted,

Mr. Stevens moved as an amendment that the bill be referred to general orders.

Which motion prevailed, and

The bill was so referred.

The committee on forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Have had the same under consideration and recommend that the same do pass.

OLE SYVERTSON,

Chairman.

Mr. Sorlie of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House bill No. 10,

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,

Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

House bill No. 21,

A bill for an act to amend section 5541 of the revised

codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Tufte moved

That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Mr. Speaker:

House Bill No. 44,

A bill for an act to amend chapter 178 of the laws enacted by the Eighth legislative assembly of the state of North Dakota, which chapter was and is entitled "An act to amend section 2082 of the Revised Codes of 1899, relating to fees to be charged by sheriffs, which act was approved March 12th, 1903.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted and the further consideration of the bill was indefinitely postponed.

Also,

Mr. Speaker:

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Mr. Speaker :

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Mr. Duncan moved that

House Bill No. 47,

A bill for an act to provide for the payment to the owner of the value of animals destroyed under the provisions of article seventeen of the Political Code of North Dakota or because such animals were, at the time of their destruction, infected or afflicted with the disease commonly known as glanders.

Be referred to the committee on live stock.

Which motion prevailed, and

The bill was so referred.

SPECIAL COMMITTEE REPORT.

Mr. Speaker :

Your committee to ascertain the privileges and conditions in the restaurant in the basement of the capitol beg leave to report as follows :

We found that the present occupant, Mr. Homan, had been granted permission by the former board of capitol commission of which Auditor Holmes was a member. Your committee called upon Mr. Holmes and together with him we went to the governor, they together agreed that they would take immediate steps to improve the service of the

restaurant. We believe that any further action by the house at this time is unnecessary.

Respectfully,

O. J. SORLIE,
Chairman.

C. W. BUTTZ.

SAMUEL ADAMS,

Mr. Sorley of Grand Forks moved the adoption of the report and the continuation of the committee, . . .

Which motion prevailed.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Aaker introduced

House Bill No. 111,

A bill for an act to amend section 1 of chapter 60 of the Laws of 1903 relating to increased jurisdiction of county courts.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Casey introduced

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Which was read the first and second times and

Referred to the committee on education.

Mr. Martin of Morton introduced

House Bill No. 113,

A bill for an act to amend section 5511 of article 3 of chapter 50 of the Civil Code, relating to the loan of money.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Mockler introduced

House Bill No. 114,

A bill for an act to create superior courts in county seat cities of over two thousand population, fixing the juris-

diction and practice thereof and providing officers and compensation therefor.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Mockler introduced

House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Which was read the first and second times and
Referred to the committee on public health.

Mr. Johnson of Ward introduced

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Which was read the first and second times and
Referred to the committee on education.

Mr. Graham introduced

House Bill No. 117,

A bill for an act to amend section 4079 of the Revised Codes of North Dakota, 1905, relating to rights and capacity of husband and wife.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Tufte introduced

House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Graham introduced

House Bill No. 119,

A bill for an act to amend and re-enact section 1582 of

the Revised Codes of North Dakota of 1905, relating to the redemption of real estate from tax sale.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Moore introduced

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Wedge introduced

House Bill No. 121,

A bill for an act defining burglary with explosives.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Wedge introduced

House Bill No. 122,

A bill for an act to provide for a notice to be served on a mortgagor prior to the commencement of a foreclosure on real property.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Flamer introduced

House Bill No. 123,

A bill for an act to amend section 2630 of the Revised Codes of 1905 of the state of North Dakota, relating to appointment of bailiffs.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Flamer introduced

House Bill No. 124,

A bill for an act to amend section 8403 of the Revised Codes of 1905 of the state of North Dakota relating to how summons shall be served.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Hemmingsen introduced

House Bill No. 125,

A bill for an act to regulate the transportation of persons

by common carriers operating railroads within or through the state of North Dakota, and the furnishing and use of free transportation.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Graham introduced
House Bill No. 126,

A bill for an act to amend sections 8040, 8041, 8042 of article 6 of chapter 4 of the probate code of the Revised Codes of the state of North Dakota, 1905, relating to the special proceedings for probate of heirship.

Which was read the first and second times and
Referred to the committee on judiciary.

On request of Mr. Midgarden the privileges of the floor were extended to E. S. Peterson of Park River.

On request of Mr. Pugh the privileges of the floor were extended to Attorney G. A. Bangs of Grand Forks.

The speaker administered the oath of office to Miss Mabel Peterson.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 23, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment,

The speaker presiding.

Prayer by the Rev. Cooley.

Roll call.

All members present except Messrs. Dibley, Hankinson and Mathews, who were excused.

Mr. Stevens rose to a question of personal privilege and addressed the house at length

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifteenth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 21, "8285" changed to read "2185."

Page 4, line 23, strike out the word "that" and change the word "be" to "was."

Page 6, line 25, after the word "known" add the words "as glanders."

Page 6, line 38, correct spelling of the word "governor."

Page 7, line 26, correct spelling of the word "Martin."

Page 8, line 1, correct spelling of the word "practice."

Page 9, line 30, correct spelling of word "referred."

Page 12, line 6, change "8285" to "2185."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communication was received from the Retail Merchants' association:

To the Senate and House of Representatives of the Tenth Legislative Session of the State of North Dakota:

WHEREAS, The eighth annual convention of the Retail Merchants' Association of the state of North Dakota, in convention assembled, is about to adjourn; therefore, be it resolved that

WHEREAS, The present law governing the inspection of weights and measures is a needless and expensive burden upon the merchants of the state and subserves no good public purpose,

Resolved, That we, the North Dakota Retail Merchants' Association, in convention assembled, hereby voice our opposition to the law now in force and call upon the members of the legislature to repeal the same.

Resolved, further, That we most humbly petition your honorable body to enact or amend a law known as the garnishee law of the state of North Dakota, so as to allow a creditor to garnishee and get judgment setting aside a certain per cent of the debtor's wages from pay day to pay day until his debt is paid to his creditor.

Resolved, further, The enactment of a law making the wife jointly liable with her husband for household necessities, such as food and clothing.

Resolved, further, An amendment to our real estate exemption law exempting only forty acres of land with the improvements thereon; also for the enactment of a law for the better construction of public highways.

Resolved, further, That we, the Retail Merchants' Association, wish most emphatically to endorse the splendid work which has been done by Prof. Ladd in his enforcement of the law against impure foods and adulterated paints, and that we strongly urge the present legislative assembly to make an appropriation which will be fully adequate for the thorough enforcement of the law; and that a copy of these resolutions be sent to each member of the legislature.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House bill No. 21,

A bill for an act to amend section 5541 of the revised codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Also,

House bill No. 10,

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.

Also,

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Also,

House Bill No. 85,

A bill for an act to repeal sections 2180, 2181, 2182, 2183, 2184, 2185, 2186 and 2187 of the Revised Codes of North Dakota of 1905, being chapter 194 of the Session Laws of 1905, relating to appointment, duties and compensation of inspector of weights and measures.

Also,

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Also,

House Bill No. 54,

A bill for an act amending section 1 of chapter 75 of the Session Laws of 1903 relating to deposits of county funds.

Also,

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

And find the same correctly engrossed.

O. S. Aaker,
Chairman.

REPORT OF THE COMMITTEE ON ELECTIONS AND PRIVILEGES.

Mr. Speaker:

Your committee, to which was referred the contest case from the Thirty-First Legislative district, Phelan against Evans, respectfully submit the following report:

After a full investigation we find that the election board conducting the election in the Lehigh voting precinct in said Thirty-First Legislative district, on November 6th, 1906, was guilty of fraudulent conduct by reason of the grossly negligent careless and unlawful manner in which said election was conducted.

Your committee further finds that, notwithstanding such conduct on the part of said election board, the contestee—Thomas Evans—received a sufficient number of legal votes cast in said legislative district to secure his election as a representative from said legislative district to the Tenth Legislative assembly of the state of North Dakota; therefore, be it

Resolved, That the contest on behalf of said J. E. Phelan be dismissed and that Thomas Evans be declared entitled to a seat as a member of the house of representatives of said Tenth legislative assembly.

M. A. SHIRLEY,
Chairman.

Mr. Shirley moved

The adoption of the report and also the adoption of the resolution,

Which motion prevailed, and

The resolution was adopted.

Mr. Speaker:

Your committee on public printing, to which was referred a resolution in regard to the advisability of establishing a

state printing press at the state penitentiary, have had the same under consideration and beg leave to report that, in its judgment it is not advisable at this time to establish such a state printing press at the penitentiary; and therefore recommend that further action in regard to the above mentioned resolution be indefinitely postponed.

T. E. TUFTE,
Chairman.

Mr. Tufte moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance, to whom was referred House bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the figures "\$25.00" where same occur in the bill and inserting in lieu thereof "\$100.00;" and striking out figures "\$100.00" where same occur and inserting in lieu thereof "\$200.00;" and striking out figures "10" in next to last line and inserting "90" in lieu thereof; and striking out words "nor more than 30 days" in same line.

ARNE P. HAUGEN,
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota, relating to liens on future interest.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 10 after the word "animal" in printed bill; and all of line 11 to be stricken out.

And when so amended recommend the same do pass.

K. O. BROTONOV,
Chairman.

HOUSE COMMITTEE REPORT.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendent of the Edgely sub-experiment station.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "the Edgeley" and add "s" to the words "superintendent" and "station" in the title.

Change the words "the Edgeley" to "all" in line 1 of printed bill.

Add "s" to the word "station" in line 2.

Add "s" to the word "sub-station" in line 5.

And add to the bill "This report shall be kept separate and included by the board of trustees of the agricultural college with their biennial report to the governor."

And when so amended recommend the same do pass.

K. O. BROTONOV,
Chairman.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the printed bill after the word "board" insert the words "or boards;" and in line 11 of the printed bill after the word "board" insert the words "or boards;" and in line 13 of the printed bill after the word "number" that the words "or qualifications" be stricken out; also that all that portion of section 1 of the printed bill after the word "road" in line 30 be stricken out; and that an emergency clause be added as follows: "WHEREAS, An emergency exists inasmuch as there is no law in force whereby section lines may be opened without petition, this act shall take effect on and after its passage and approval."

And when so amended recommend that the same do pass.

D. E. BLAKE,
Chairman.

Mr. Speaker:

Your committee on municipal corporation to whom was referred

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 2 and 3 strike out the words "and re-enacted."

After the word "lots" in line 19 that the following be added: "by the passage of such a resolution as is hereinbefore provided for the extension of limits."

And when so amended recommend the same do pass.

J. F. TREAT,
Chairman.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Have had the same under consideration and recommend that the same be amended as follows:

That in line 5 of the printed bill the words "the respected" be changed to "their respective;" and that an emergency clause be added as follows: "WHEREAS, An emergency exists inasmuch as there is no law in force prohibiting road overseers from taking contract work; therefore, this act shall take effect on and after its passage and approval."

And when so amended recommend the same do pass.

D. E. BLAKE,
Chairman.

The committee on education made the following report:
Mr Speaker:

Your committee on education, to whom was referred

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Stevens moved

That the bill be referred to the committee of the whole,
Which motion prevailed.

Also,

House Bill No. 42,

A bill for a concurrent resolution amending the state constitution.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved the adoption of the report.

Mr. Stevens moved as a substitute that the bill be referred to the committee of the whole, the question being on the substitute motion.

The same prevailed, and the bill was referred to general orders

The committee on judiciary made the following report:
Mr Speaker:

Your committee on judiciary, to whom was referred
House Bill No. 45,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to the investment of school funds.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court

jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Have had the same under consideration and recommend that the same be amended as follows:

The words "court jail" to be stricken out wherever they so appear and the words "county jail" be substituted in lieu thereof.

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 61,

A bill for an act to amend section 8346 of the Revised Codes of North Dakota for the year 1905, relating to justices' code.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 69,

A bill for an act to amend section 3 of chapter 82 of the Laws of 1897, being section 9403 of the Revised Codes of the state of North Dakota, 1905, relating to how summons shall be served in garnishment.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker :

Your committee on state affairs, to whom was referred
House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 83,

A bill for an act amending section 2385 of the Revised Codes of 1905, relating to the term of eligibility of certain county officers.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "superintendent of schools" in lines 4 and 5.

And when so amended recommend the same do pass.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Thoreson offered the following resolution:

WHEREAS, The people of this state are largely dependent for their wealth upon the products of the fields; and

WHEREAS, The prices now realized for the agricultural products of the state are so low and the cost of providing machinery for the planting and harvesting of such crops as are grown by our farmers is so high that much of the profits of the farm are consumed in the cost of machinery; and

WHEREAS, The cost of such machinery has advanced so much during the last few years without any seeming cause for the same, that some means of relieving the people of the state from these burdens should, if possible, be devised by the legislature; therefore, be it

Resolved, That the committee on state affairs be authorized and instructed to investigate whether or not it would be advantageous or advisable for the state of North Dakota to manufacture harvesting and other farm machinery at the state penitentiary.

Mr. Thoreson moved

That the resolution be adopted,

Which motion prevailed, and

The resolution was adopted.

INTRODUCTION AND FIRST AND SECOND READINGS OF HOUSE BILLS.

Mr. Law introduced

House Bill No. 127,

A bill for an act fixing the maximum charge for carrying passengers over any railroad in the state of North Dakota, and prescribing penalties for its violation.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Martin of Billings introduced

House Bill No. 128,

A bill for an act to amend and re-enact section 835 of the Revised Codes of the state of North Dakota for the year

1905, providing for the enumeration of persons of school age by district clerks.

Which was read the first and second times and
Referred to the committee on education.

Mr. Brodie introduced

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Plath introduced

House Bill No. 130,

A bill for an act to amend section 8366 of the Revised Codes of 1905 of the state of North Dakota, relating to service by publication.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Dibley introduced

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Cunningham introduced

House Bill No. 132,

A bill for an act amending section 26 of the Political Codes of North Dakota.

Which was read the first and second times and
Referred to the committee on agriculture.

Mr. Purdon introduced

House Bill No. 133,

A bill making an appropriation for the purchase of a

building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for equipment and furniture, for library, book cases and library furniture, and maintenance of school for two years beginning January 1, 1907, for the North Dakota Academy of Science, located at Wahpeton, North Dakota.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Peake introduced

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Tofsrud introduced

House bill No. 135,

A bill for an act to amend section 1216 of the Revised Codes of 1895, being section 1531 of the Revised Codes of 1905 of the State of North Dakota, relating to the state board of equalization.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

The committee on public printing introduced

House Bill No. 136,

A bill for an act to repeal section 2282 of the Revised Codes of North Dakota, for 1905, being chapter 125 of the Session Laws of the State of North Dakota for the year 1899, relating to public printing.

Which was read the first and second times and
Referred to the committee of the whole.

Mr. Sorlie of Traill introduced

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. Piper introduced

House Bill No. 138,

A bill for an act to amend section 850 of the Revised Codes of 1905 of the State of North Dakota, concerning report of treasurers of school districts.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Sorley of Grand Forks introduced

House Bill No. 139,

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and county officers who have been guilty of malfeasance or non-feasance in the performance of their official duties, or who is guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Stevens moved

That the attorney general be asked to give his opinion as to the constitutionality of House Bill No. 139,

Which motion was lost.

Mr. Graham introduced

House Bill No. 140,

A bill for an act to amend sections 6237, 6238, 6240, 6242, 6243, 6244, 6250, of chapter 79 of the Revised Codes of 1905, relating to mechanics' liens.

Which was read the first and second times and
Referred to the committee on judiciary.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Shirley to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration
House Bill No. 54,

A bill for an act amending section 1 of chapter 75 of the
Session Laws of 1903 relating to deposits of county funds.

And recommend that the same be amended as follows:

By striking out in line 2' of the printed bill the words "and re-enacted."

Also strike out the words "one thousand" in line 6 of the printed bill and
insert in lieu thereof the words "five hundred."

Also,

Amend title as follows:

By striking out all in printed bill after the word "amending" and insert
in lieu thereof the words "section 2439, of the Revised Codes of 1905, relating
to county funds." Change lines 1 and 2 to read as follows: "Section 2439,
of Revised Codes of 1905, be amended and re-enacted to read as follows."
In line 3 strike out figure 1 after word "section" and insert "2439" and the
words "sinking fund."

And when so amended recommend that the same do pass.

Also,

House Bill No. 85,

A bill for an act to repeal sections 2180, 2181, 2182, 2183,
2184, 2185, 2186 and 2187 of the Revised Codes of North
Dakota of 1905, being chapter 194 of the Session Laws of
1905, relating to appointment, duties and compensation of
inspector of weights and measures.

And recommend that it be referred to a committee of
five to be appointed by the speaker to prepare a substitute
bill for all bills on the subject of weights and measures.

And that Mr. Ladd be consulted in reference to the mat-
ter.

Also,

House bill No. 25,

A bill for an act making it unlawful for any person to
solicit orders for the sale of intoxicating liquors in the state
of North Dakota.

Beg leave to report progress and ask leave to sit again.

M. A. SHIRLEY,
Chairman.

Mr. Shirley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

There being no objection the house returned to the sev-

enth order of business, and Mr. Moore offered the following resolution and moved its adoption:

Resolved, That when the house adjourns on Friday next it be to Tuesday, January 29th, at 2 o'clock p. m.

Which resolution was lost.

Mr. Treat moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 24, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Giedt, Hankinson and Jones of Ransom, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER, BISMARCK,
January 24, 1907.

Mr. President:

I have the honor to transmit herewith

Senate Bill No. 15,

A bill for an act providing for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.

Also,

Senate Bill No. 29,

A bill for an act to amend section 7252 of the Revised Code of 1905, relating to examination of an adverse party.

Also,

Senate Bill No. 8,

A bill for an act to amend and re-enact section 7459 of the Revised Code of 1905, relating to the foreclosure of mortgage on real property.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the Sixteenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 4, line 17, correct spelling of "Lehigh."

Page 5, line 15, correct spelling of the word "whom."

Page 5, line 27, correct spelling of the word "Arne;" also change "T" to "P."

Page 6, line 26, change word "made" to "to."

Page 7, line 17, change word "your" to "the."

Page 12, line 25, correct spelling of word "demonstration."

And when so amended recommend that the same be approved.

A. O. GRAHAM,

Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 45,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to the investment of school funds.

Also,

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

Also,

House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Also,

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Also,

House Bill No. 69,

A bill for an act to amend section 3 of chapter 82 of the Laws of 1897, being section 8403 of the Revised Codes of the state of North Dakota, 1905, relating to how summons shall be served in garnishment.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Also,

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Also,

House Bill No. 42,

A bill for a concurrent resolution amending the state constitution.

Also,

House Bill No. 54,

A bill for an act amending section 1 of chapter 75 of the Session Laws of 1903 relating to deposits of county funds.
And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred
House Bill No. 82,

A bill for an act to encourage elementary education and appropriate money therefor.

Have had the same under consideration and recommend
that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the bill be referred to general orders.
Which motion prevailed, and
The bill was so referred.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Concurrent resolution and memorial relating to the election of United States senators, introduced by Mr. Tufte,

Have had the same under consideration and recommend that the same be adopted.

M. A. SHIRLEY,
Chairman.

Mr. Tufte moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries, to whom was referred

House Bill No. 73,

A bill for an act entitled: "An act to amend sections 2366, 2367, 2368 and 2369 of the Revised Codes of 1905, relating to the removal of county seats."

Have had the same under consideration and recommend that the same be indefinitely postponed.

BERNT ANDERSON,
Chairman.

Mr. Anderson, Bernt, moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Buttz offered the following resolution:

WHEREAS, Our agricultural department during the past two years has extensively and beneficially advertised the resources and advantages of the state of North Dakota through the many letters it has published in eastern newspapers, the literature it has distributed, the exhibits it has made at the different state fairs; and

WHEREAS, The said agricultural department has been instrumental in inducing many hundreds of people to locate in this state through the methods it has employed; and

WHEREAS, On or about the 23d day of April, 1907, the Jamestown Exposition will formally open at Jamestown, Virginia, and it will not only represent the improvements, productions, prosperity and advantages of the different sections of the United States and of many other nations, but it will attract the attention of many millions of people from all parts of the world who will investigate the products of the various parts of our country; and

WHEREAS, It will be of great benefit and advantage to property owners, and more especially the land owners of our state, to have a creditable and representative exhibition from this state at said exposition; and

WHEREAS, The following communication was printed in many of our daily papers on the 19th inst., and I herewith present the same and make it a

part of this resolution: "Norfolk, Va., Jan. 19.—Announcement is now made that nearly every state in the union will be represented by state buildings at the Jamestown Exposition. Most of them will be of colonial design but a few of them have been built instead after the pattern of historic houses in the country. For instance, Georgia will reproduce 'Bulloch Hall,' the birth-place of President Roosevelt, and at the dedication of the building the president will deliver an address. Pennsylvania has a likeness of Old Independence Hall, which corresponds to the original in size and detail. Maryland has reproduced the old house of Charles Carroll, of Carrollton. Connecticut has the home of Col. Talmadge, who was a member of General Washington's staff, and had charge of the execution of Major Andre, the British spy. Ohio will have 'Adene,' the first stone house erected west of the Allegheny mountains and used for years as the executive mansion of Ohio. Kentucky will reproduce a Daniel Boone's fort as it appeared at Boonesboro in that state over a hundred years ago. It is gratifying that the country has recognized the fact that every state has a direct interest in the exposition as the following have already made appropriations or provided for funds by special subscriptions: Connecticut, \$25,000; District of Columbia, \$251,000; Florida, \$50,000; Delaware, \$15,000; Georgia, \$50,000; Illinois, \$25,000; Kentucky, \$15,000; Louisiana, \$15,000; Maine, \$40,000; Maryland, \$65,000; Michigan, \$60,000; Missouri, \$60,000; Massachusetts, \$50,000; New Jersey, \$75,000; New York, \$150,000; North Carolina, \$30,000; Ohio, \$75,000; Oklahoma, \$10,000; Pennsylvania, \$100,000; Virginia, \$30,000; Virginia counties, additional, \$150,000; Vermont, \$10,000; Wisconsin, \$60,000; West Virginia, \$15,000; Washington, Oregon, Idaho and Montana, \$250,000;" therefore, be it

Resolved by the House of Representatives, That the committee on appropriations be authorized and directed to investigate matters mentioned in the preamble to this resolution and report the result of such investigation to the house accompanied by a bill providing for an appropriation of not less than ten thousand dollars to meet the expense of such exhibition that may be sent from our state, and the current expenses of the department of agriculture and labor, and provide for all the necessary details for carrying into effect the purpose and intent herein indicated; and that said bill shall provide that the arrangements, management and control of the exhibits shall be under, and the expense connected therewith shall be under, the authority and control of the commissioner of the department of agriculture and labor.

Mr. Stevens moved

That the resolution be printed in the journal and when so printed that it be referred to the committee on appropriations.

Which motion prevailed.

There being no objection

Mr. Buttz introduced

House Bill No. 141,

A bill for an act making an appropriation to enable the commissioner of agriculture and labor to make the proper exhibit of the products of the state at the Jamestown exposition at Jamestown, Va., and to provide for the current expenses of his department.

Which was read the first and second times, and
Referred to the committee on appropriations.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands, beg leave to offer the following resolution:

WHEREAS, It has come to the knowledge of the committee on school and public lands that the Great Northern Railway Co. is exercising absolute ownership over the northwest quarter (nw¼) of section thirty-six (36), township one hundred forty-eight (148), range fifty-one (51), and has put in a spur track upon said real estate and has made extensive excavations thereon and has taken therefrom large quantities of gravel and sand; and

WHEREAS, It is currently reported that said railroad company has not purchased said land as prescribed by law and, therefore, has no legal title to said real estate and is a trespasser thereon; therefore, be it

Resolved, That a committee of three be appointed by the speaker to ascertain what title said company has to said real estate and by whom granted, and whether or not any excavation has been made as above stated.

O. J. SORLIE,

Chairman.

Mr. Haugen moved the adoption of the resolution.

Which motion prevailed and

The resolution was adopted.

The speaker appointed as such committee Messrs. Sorlie of Traill, Putnam and Chapman.

Mr. Freeman introduced

House Bill No. 142,

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Syvertson introduced

House Bill No. 143,

A bill for an act entitled an act to amend section 1426 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on highways and bridges.

Mr. Dean, by request, introduced

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Ueland introduced

House Bill No. 145,

A bill for an act to appropriate money in aid of the horticultural society.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Bernt Anderson introduced

House Bill No. 146,

A bill for an act to amend section 6237 and section 6238 of the Revised Codes of 1905 relating to mechanic's liens.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Moore introduced

House Bill No. 147,

A bill for an act to amend section 1195 of the Revised Codes of North Dakota, of 1905, relating to the care of patients at the state hospital for the insane.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Tofsrud introduced

House Bill No. 148,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Rugby, county of Pierce.

Which was read the first and second times and

Referred to the committee on education.

Mr. Treat introduced

House Bill No. 149,

A bill for an act to amend section 4466 of the Revised Codes of 1905, relating to annual statements of insurance companies.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Miller introduced

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Burgum introduced

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Shirley introduced

House Bill No. 152,

A bill for an act entitled an act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the First judicial district.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Shirley introduced

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Tufte introduced

House Bill No. 154,

A bill for an act to amend section 1508 of the Revised Codes of 1905, relating to the assessment of bank stocks.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Blegen introduced

House Bill No. 155,

A bill for an act to provide for the enforcement of section 9319 of the Revised Codes of 1905, and other laws relating to cruelty to animals.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Watts introduced

House Bill No. 156,

A bill for an act repealing chapter 83 of the laws enacted

in the year 1901, being sections 84 and 85 of the Revised Codes of 1905, relating to making contracts for engrossing and enrolling bills.

Which was read the first and second times and

Referred to the committee on state affairs.

The speaker announced the appointment of Eugene Tessier and James Wakeman as janitors in place of prior appointments under resolution, former appointees failing to present themselves.

By request of Mr. John A. Sorley, the privileges of the floor were extended to Mr. Samuel Torgeson.

By request of Mr. Chapman, the privileges of the floor were extended to Mr. John E. Green of Ward County.

The speaker announced a recess for fifteen minutes.

AFTER RECESS.

Mr. Stevens moved

That John Cox be appointed page.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the speaker be granted leave of absence not to exceed five days.

Which motion prevailed, and

The speaker named as speaker during his absence Mr. White.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

The house resolved itself into a committee of the whole.

The speaker called Mr. Streeter to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota.

And recommend that the same be amended

By adding after the word "person" in line 1, section 2, the words "firm or corporation."

By striking out the figures "\$25.00" where same occur in the bill and inserting in lieu thereof "\$100.00;" and striking out figures "\$100.00" where same occur and inserting in lieu thereof "\$200.00;" and striking out figures "10" in next to last line and inserting "90" in lieu thereof; and striking out words "nor more than 30 days" in same line.

Also,

That the title be amended by

By adding thereto the words "and providing penalty therefor."

And when so amended recommend the same do pass.

Also,

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota, relating to liens on future interest.
Report progress and ask leave to sit again.

Also,

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendent of the Edgely sub-experiment station.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "the Edgeley" and add "s" to the words "superintendent" and "station" in the title.

Change the words "the Edgeley" to "all" in line 1 of the printed bill.

Add "s" to the word "station" in line 2.

Add "s" to the word "sub-station" in line 5.

And add to the bill "This report shall be kept separate and included by the board of trustees of the agricultural college with their biennial report to the governor."

And when so amended recommend the same do pass.

Also,

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Have had the same under consideration and recommend that the same be referred to the committee on highways and bridges.

Also,

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 2 and 3 strike out the words "and re-enacted."

After the word "lots" in line 19 that the following be added: "by the passage of such a resolution as is hereinbefore provided for the extension of limits."

And when so amended recommend the same do pass.

D. R. STREETER,
Chairman.

Mr. Streeter moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

There being no objection, the speaker recalled House Bill No. 88 from the committee on ways and means and referred the same to the committee on labor.

The speaker administered the oath of office to John Cox as page.

The speaker administered the oath of office to Henry Bagstie

Mr. Stevens moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

P. D. NORTON,
Chief Clerk.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 25, 1907.

The house assembled at 2 o'clock p. m.

Mr. White presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Simpson, Sinclair and Mr. Speaker, who were excused.

REFERENCE OF THE JOURNAL.

Mr. Speaker:

Your committee on revision and correction of the journal of the Seventeenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 32, change "9403" to "8403."

Page 8, line 33, correct spelling of word "committee."

Page 11, line 35, correct spelling of word "committee."

Page 4, last line, correct spelling of "Mr."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on state affairs made the following report:

Mr Speaker:

Your committee on state affairs, to whom was referred
House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,

House Bill No. 123,

A bill for an act to amend section 2630 of the Revised Codes of 1905 of the state of North Dakota, relating to appointment of bailiffs.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. Haugen moved

That the report be adopted,

Which motion prevailed and the further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 103,

A bill for an act to amend and re-enact section 3081 of the Revised Code of 1905, relating to organization of town meetings.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 65,

A bill for an act to amend section 3062 of the Revised Codes of North Dakota for 1905, relating to township officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 77,

A bill for an act to amend and re-enact section 2613 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 78,

A bill for an act to amend and re-enact section 2617 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

House Bill No. 37, for reconsideration, being for an act to amend section 1348 of the Revised Codes of North Dakota of 1905 relating to public roads,

Have had the same under consideration and recommend that the printed bill amended by this committee be further amended as follows:

By adding after the word "road," in line 30 of the printed bill, the following: "*Provided*, however, that when the road to be laid out deviates from the section line, then it shall be opened upon petition and as now prescribed by law."

And when so amended recommend the same do pass.

D. E. BLAKE,

Chairman.

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 121,

A bill for an act defining burglary with explosives.

Have had the same under consideration and recommend that the same be amended as follows:

Add to the title the words "and prescribing a penalty therefore;" and in line 3 strike out the words "when there is a human being."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 20 and 23 strike out the word "satisfaction" where it so appears and substitute in lieu thereof the words "a certificate of discharge."

In line 23, after the word "be," add the word "so."

Strike out all of lines 27 and 28.

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 106,

A bill for an act to amend section 2494 of the Revised Codes of 1905 relating to the duties of state's attorneys.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

Further consideration of the bill was indefinitely postponed.

Mr. Speaker:

Your committee on engrossment have examined:

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Also,

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendent of the Edgely sub-experiment station.

Also,

House bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota and providing a penalty therefor.

Also,

House Bill No. 82,

A bill for an act to encourage elementary education and appropriate money therefor.

Also,

Concurrent resolution and memorial offered by Mr. Tufte, relating to election of United States senators.

And find the same are correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

There being no objection

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Was recalled from the committee on judiciary and referred to the committee on elections and privileges.

Mr. O. P. N. Anderson moved

That the house take a recess for one hour.

Which motion prevailed, and

The house took a recess.

AFTER RECESS.

MOTIONS AND RESOLUTIONS.

Mr. Ueland offered the following resolution and moved its adoption:

WHEREAS, The shortage of the fuel supply in many parts of the state has brought vividly to the minds of the people of the state the importance of an ample and cheap fuel supply for the people of the state; and

WHEREAS, The constitution of the state, in section 155, provides that the coal lands of the state shall never be sold, but that the legislative assembly may provide for leasing the same; and

WHEREAS, No law as yet has been enacted providing how the board of university and school lands shall proceed to ascertain what lands granted the state under the Enabling Act bear coal; therefore, be it

Resolved, That the committee on coal lands of the house be, and they are hereby, instructed to examine all laws bearing on the subject of the coal lands of the state and report by bill to the house such legislation as in their judgment should be enacted, at their earliest convenience.

Mr. Ueland introduced the following

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring:

That a special committee of four members of the house and three of the senate be appointed for the purpose of considering all pending bills on reciprocal demurrage.

Mr. Ueland moved the adoption of the concurrent resolution.

Which motion prevailed and

The concurrent resolution was adopted.

Mr. Sorley of Grand Forks moved

That Mr. White be a member of that committee,

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 25, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

WHEREAS, It appears from investigation recently made by the senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof; and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States and there is demand for the more effectual prohibition thereof by placing the subject under the federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce; now, therefore, be it

Resolved by the Senate of North Dakota, the House of Representatives Concurring, That application be, and is hereby made, to congress, under the provision of article 5 of the constitution of the United States, for the calling of a convention to propose an amendment to the constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved, further, That the legislature of all other states of the United States, now in session or when next convened, be, and they are hereby, respectfully requested to join in this application by the adoption of this or an equivalent resolution.

Resolved, further, That the secretary of state be, and he hereby is, directed to transmit copies of this application to the senate and house of representatives of the United States, and to the members of said bodies representing this state therein; also to transmit copies hereof to the legislatures of all other states of the United States.

Which the senate has adopted and your concurrence herein is requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Tufte offered the following resolution and moved its adoption:

WHEREAS, The supply of bills and journals does not equal the demand, and members are unable to secure the number required to meet the wants of their constituents; therefore, be it

Resolved, That the public printer be hereby authorized to print, beginning from the date of the adoption of this resolution, 1,100 of each of the various house bills and journals.

Which motion prevailed, and
The resolution was adopted.

Mr. Stevens moved

That the house concur in senate concurrent resolution relating to polygamy.

Roll call demanded.

The question being on the adoption of the senate concurrent resolution.

The roll was called and there were ayes 29, nays 47, absent and not voting, 24.

Those who voted in the affirmative were:

Messrs.—

Aaker

Anderson, Grand F'rks

Messrs.—

Johnson of Ward

Jones of Barnes

Messrs.—

Restemayer

Rohs of Morton

Messrs.—	Messrs.—	Messrs.—
Blake	Law	Sorley of Grand Forks
Freeman	Martin of Morton	Steen
Garden	Midgarden	Syvertson
Gibbens	Nelson of Steele	Tofsrud
Graham	Peake	Tufte
Halaas	Piper	Watts
Haugen	Purdon	Wedge
Jensen	Putnam	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Flamer	Plath
Andrus	Grant	Pugh
Blegen	Griffith	Rose of Dickey
Brotnov	Hallick	Schlenker
Burdick	Hanawalt	Shannafelt
Burgum	Hemmingsen	Shirley
Buttz	Hosford	Stevens
Carter	Johnson of Sargent	Storey
Chapman	Jones of Ransom	Streeter
Church	Martin of Billings	Treat
Collins	McDowall	Ueland
Connolly	Miller	Wake
Crawford	Mockler	Walker
Dean	Moore	Welford
Duncan	Nelson of Traill	White
Elhard	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Oveson
Anderson, O. P. N.	Hankinson	Simpson
Brodie	Hanson	Sinclair
Casey	Johnson of Pembina	Sorlie of Traill
Cunningham	Mathews	Stavens
Dibley	Monek	Swendseid
Evans	Morin	Thoreson
Ganssle	Murphy	Mr. Speaker

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Sinclair, Simpson and Mr. Speaker being excused.

So the concurrent resolution was lost.

Mr. Johnson of Ward explained his vote.

Mr. Stevens moved

That the vote by which the concurrent resolution was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Martin of Billings offered the following memorial:

To the House of Representatives of North Dakota:

WHEREAS, Reports have been promiscuously circulated in the daily papers of the country that there exists a fuel and food famine in certain portions of North Dakota; and

WHEREAS, The undersigned commercial clubs, representing the undersigned cities in the western portion of North Dakota, on the Northern Pacific and Soo railways, comprising the territory included in the counties of Burleigh, Emmons, Kidder, McLean, Morton, Stark, Oliver, Billings, Dunn, Mercer, Bowman and Hettinger, after a thorough investigation of the facts, submit:

1. That there is absolutely no food or fuel famine in any portion of that part of North Dakota designated as the Missouri Slope and including the counties above named but, on the contrary, the entire country is abundantly supplied with native lignite coal exclusively used by the residents thereof, obtained from the mines easily accessible, which coal may be procured any day upon the streets of the respective towns in said territory and is brought in to market by farmers generally, and the people of this section of the country are independent of the railroads for their fuel supply.

2. That there is no food famine in any section of the country above named and no suffering is existing among the people. That there is no loss of livestock in any portion of western North Dakota, so far as the investigations have extended. They have shown that it has been unnecessary to feed livestock to any great extent, the same grazing on the ranges. Our investigations further disclose that there is absolutely no necessity for aid of any kind to be extended to settlers of this section of the state, and that many of the reports put in circulation are without foundation in fact and an injustice to that section of the state involved.

MANDAN COMMERCIAL CLUB,
DICKINSON COMMERCIAL CLUB,
NEW SALEM COMMERCIAL CLUB,
BEACH COMMERCIAL CLUB,
MEDORA COMMERCIAL CLUB,
RICHARDTON COMMERCIAL CLUB,
WASHEBURN COMMERCIAL CLUB,
BISMARCK COMMERCIAL CLUB,
HEBRON COMMERCIAL CLUB,
SENTINEL BUTTE COMMERCIAL CLUB,
TAYLOR COMMERCIAL CLUB,
GLADSTONE COMMERCIAL CLUB,
WILTON COMMERCIAL CLUB.

Mr. Buttz moved

That the memorial be printed in the journal.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READINGS OF HOUSE BILLS.

Mr. Buttz introduced

House Bill No. 157,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Which was read the first and second times, and
Referred to the committee on apportionment.

Mr. Jones of Ransom, by request, introduced
House Bill No. 158,

A bill for an act to amend section 433 of the Revised Codes of the state of North Dakota of 1905 relating to deputies and their bonds.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Shirley introduced

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Shirley, by request, introduced

House Bill No. 160,

A bill for an act fixing the mileage and fees to be paid to constables, police officers, city and village marshals for serving and executing warrants, subpoenas, commitments, and any other legal papers in criminal cases.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Rose of Dickey introduced

House Bill No. 161,

A bill for an act regulating the date of the meeting of the county commissioners.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

THIRD READING OF HOUSE BILLS.

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 1, absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hanson	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Schlenker
Burgum	Johnson of Pembina	Shannafelt
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Shirley
Casey	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	McDowall	Syvertson
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Parkhill	Welford
Graham	Piper	White
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Putnam
Anderson, O. P. N.	Hallick	Rose of Dickey
Andrus	Hankinson	Simpson
Brodie	Jensen	Sinclair
Brotnov	Martin of Billings	Sorlie of Traill
Burdick	Mathews	Stavens
Chapman	Monek	Swendseid
Dibley	Murphy	Thoreson
Evans	Oveson	Tofsrud
Ganssle	Peake	Mr. Speaker
Giedt	Pugh	

Messrs. Dibley, Evans, Ganssle, Geidt, Hankinson, Monek, Simpson, Sinclair and Mr. Speaker being excused.

Mr. Haugen voting in the negative.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which House Bill 17 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Also,

House bill No. 10,

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 1, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Haugen	Restemayer
Andrus	Hemmingsen	Rohs of Morton
Blake	Hosford	Rose of Dickey
Blegen	Jensen	Schlenker
Brotnov	Johnson of Pembina	Shannafelt
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Shirley
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Church	Law	Stevens
Collins	Martin of Morton	Storey
Connolly	McDowall	Streeter
Cunningham	Midgarden	Svvertson
Dean	Miller	Thoreson
Duncan	Mockler	Treat
Elhard	Moore	Tufte
Flamer	Morin	Ueland
Freeman	Nelson of Steele	Wake
Garden	Nelson of Traill	Walker
Gibbens	Oveson	Watts
Graham	Parkhill	Wedge
Grant	Peake	Welford
Halaas	Piper	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Plath
Anderson, O. P. N.	Griffith	Putnam
Brodie	Hankinson	Simpson
Burdick	Hanson	Sinclair
Chapman	Martin of Billings	Sorlie of Traill
Dibley	Mathews	Swendseid
Evans	Monek	Tofsrud
Ganssle	Murphy	Mr. Speaker

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Sinclair, Simpson and Mr. Speaker being excused.

Mr. Crawford voting in the negative.

So the bill was passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 10 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions,

when such ditch or depression is wholly upon the owner's land.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 57, nays 10, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Purdon
Anderson, Grand F'rks	Faugen	Restemayer
Anderson, Bernt	Hemmingsen	Rohs of Morton
Andrus	Hosford	Rose of Dickey
Blegen	Jensen	Schlenker
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Stevens
Connolly	Jones of Barnes	Storey
Crawford	Jones of Ransom	Streeter
Cunningham	Law	Syvertson
Duncan	Martin of Morton	Treat
Flamer	McDowall	Tufte
Freeman	Midgarden	Ueland
Garden	Miller	Wake
Graham	Morin	Walker
Grant	Nelson of Steele	Wedge
Halaas	Parkhill	Welford
Hallick	Piper	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Moore	Shirley
Buttz	Plath	Watts
Church	Pugh	
Collins	Shannafelt	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Gibbens	Oveson
Blake	Giedt	Peake
Brodie	Griffith	Putnam
Burdick	Hankinson	Simpson
Burgum	Hanson	Sinclair
Chapman	Martin of Billings	Sorlie of Traill
Dean	Mathews	Steen
Dibley	Mockler	Swendseid
Elhard	Monek	Thoreson
Evans	Murphy	Tofsrud
Ganssle	Nelson of Traill	Mr. Speaker

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Sinclair, Simpson and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Also,

House bill No. 21,

A bill for an act to amend section 5541 of the revised

codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Was read the third time.

Mr. Stevens asked unanimous consent to amend the bill.

There being no objection Mr. Stevens offered the following amendment and moved its adoption:

Strike out the words "and re-enacted" in lines 2 and 3.

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Adams	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Haugen	Restemayer
Anderson, O. P. N.	Hemmingsen	Rohs of Morton
Andrus	Hosford	Rose of Dickey
Blake	Jensen	Shannafelt
Blegen	Johnson of Pembina	Sorley of Grand Forks
Brotnov	Johnson of Sargent	Shirley
Burdick	Johnson of Ward	Steen
Burgum	Jones of Barnes	Stevens
Buttz	Jones of Ransom	Storey
Carter	Law	Streeter
Church	Martin of Morton	Syverson
Collins	Mathews	Tofsrud
Connolly	McDowall	Treat
Crawford	Midgarden	Tufte
Cunningham	Miller	Ueland
Dean	Mockler	Wake
Duncan	Moore	Walker
Elhard	Morin	Watts
Garden	Nelson of Steele	Wedge
Graham	Nelson of Traill	Welford
Grant	Peake	White
Griffith	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Schlenker
Casey	Hankinson	Simpson
Chapman	Hanson	Sinclair
Dibley	Martin of Billings	Sorlie of Traill
Evans	Monek	Stavens
Flamer	Murphy	Swendseid
Freeman	Oveson	Thoreson
Ganssle	Parkhill	Mr. Speaker
Gibbens	Putnam	

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monck, Sinclair, Simpson and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 21 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Was read the third time.

Mr. Buttz asked unanimous consent to offer an amendment.

There being no objection

Mr. Buttz moved

That section 3 of the bill be stricken out.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller

Messrs.—

Peake
Piper
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Stevens
Storey
Streeter
Syvertson
Thoreson
Tofsrud
Treat
Tufte

Messrs.—
 Duncan
 Elhard
 Flamer
 Freeman
 Garden
 Graham

Messrs.—
 Mockler
 Moore
 Morin
 Nelson of Steele
 Nelson of Traill
 Oveson

Messrs.—
 Ueland
 Wake
 Walker
 Watts
 Welford
 White

Absent and not voting:

Messrs.—
 Brodie
 Dibley
 Evans
 Ganssle
 Gibbens
 Giedt
 Hankinson

Messrs.—
 Martin of Billings
 Monek
 Murphy
 Parkhill
 Plath
 Schlenker

Messrs.—
 Simpson
 Sinclair
 Steen
 Swendseid
 Wedge
 Mr. Speaker

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Sinclair, Simpson and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Grand Forks moved

That the vote by which House Bill No. 59 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion was lost.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Was read the third time.

Mr. Burdick asked unanimous consent to offer an amendment.

There being no objection

Mr. Burdick offered the following amendment and moved its adoption:

Strike out the words "and the said section is hereby" in lines two and three of section one.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 65, nays 4, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Piper
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Blake	Hanawalt	Restemayer
Blegen	Hanson	Rohs of Morton
Brotnov	Haugen	Schlenker
Burdick	Hemmingsen	Sorley of Grand Forks
Buttz	Hosford	Sorlie of Traill
Carter	Johnson of Pembina	Shirley
Casey	Johnson of Sargent	Stavens
Church	Johnson of Ward	Storey
Collins	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Mathews	Thoreson
Dean	Midgarden	Tofsrud
Duncan	Moore	Tufte
Freeman	Morin	Ueland
Garden	Nelson of Steele	Wake
Gibbens	Nelson of Traill	Walker
Graham	Oveson	White
Grant	Feake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Rose of Dickey	Stevens
Andrus		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Jensen	Putnam
Brodie	Law	Shannafelt
Burgum	Martin of Billings	Simpson
Chapman	McDowall	Sinclair
Dibley	Miller	Steen
Elhard	Mockler	Treat
Evans	Monek	Watts
Flamer	Murphy	Wedge
Ganssle	Parhill	Welford
Giedt	Plath	Mr. Speaker
Hankinson		

Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Sinclair, Simpson and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

The courtesies of the floor were, on motion of Mr. Anderson of Grand Forks, extended to C. J. Murphy of Grand Forks and Fred Larson of McLean county.

Mr. Ueland moved.

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 26, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

Mr. White presiding.

Roll call.

Prayer by the Rev. Harris.

All members present except Messrs. Dibley, Evans, Ganssle, Giedt, Hankinson, Monek, Parkhill, Simpson, Sinclair, Sorlie of Traill and Mr. Speaker, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the eighteenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 18, correct spelling of "recommend."

Page 4, line 20, correct spelling of "Ferries."

Page 7, line 10, correct spelling of "provide;" and on line 23, correct spelling of "demurrage;" and on line 25, correct spelling of "resolution."

Page 10, last line, change "appropriations" to apportionment."

On page 11, line 19, correct spelling of "commitments."

Page 16, line 5, change "No. 2" to "No. 21."

Page 17, line 36, correct spelling of "Mr."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES.

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

Also,

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Also,

House bill No. 21,

A bill for an act to amend section 5541 of the revised codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Also,

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

And find the same correctly re-engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads, to whom was referred
House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. Haugen moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:
Mr. Speaker:

Your committee on railroads, to whom was referred
House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. Burgum moved

That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 55.

A bill for an act requiring that certain employees of railroad companies be examined and require them to secure a license before entering upon their duties as such employees.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. Burgum moved

That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 26, 1907.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 31,

A bill for an act to amend section 9885 of the Revised Code of 1905 relating to arraignment.

Also,

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

Also,

Senate Bill No. 48,

A bill for an act to repeal sections 395, 396, 397, 398 and 399 of the Revised Codes of 1905, relating to state weather bureau.

Also,

Senate Bill No. 55,

A bill for an act to provide for the making official of certain county records.

Also,

Senate Bill No. 4,

A bill for an act relating to the qualifications of all state, county and city election officers.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

J. W. FOLEY,
Secretary.

MOTIONS AND RESOLUTIONS.

Mr. Stevens moved that the vote by which

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Passed be reconsidered.

Which motion prevailed.

Mr. Stevens moved

That House Bill No. 76 be referred to the committee on drainage.

Which motion prevailed, and

The bill was so referred,

Mr. Aaker offered the following resolution:

WHEREAS, Several states in our union have enacted what is known as inheritance tax laws; and

WHEREAS, There is a certain demand for such a law in our state; therefore, be it

Resolved, That the committee on taxes and tax laws be requested to make investigations in regard to such laws and to communicate with such states that may have such laws in operation, and thus secure information as to the general satisfaction of said laws, and report to this house at the earliest convenience.

The above resolution shall also apply to the subject of an income tax law.

Mr. Sorley of Grand Forks moved the adoption of the resolution.

Which motion prevailed, and

The resolution was adopted.

Mr. Buttz rose to a question of personal privilege.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Treat introduced

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Oveson introduced

House Bill No. 163,

A bill for an act to amend sections 4305 and 4306 of the Revised Codes of 1905.

Which was read the first and second times and
Referred to the committee on railroads.

The committee on live stock introduced

House Bill No. 164.

This bill is a substitute for House Bills No. 4, 13, 16 and 47.

A bill for an act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Which was read the first and second times and
Referred to the committee of the whole.

Mr. Garden introduced

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Rose of Dickey introduced

House Bill No. 166,

A bill for an act to repeal all of chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Which was read the first and second times and

Referred to the committee on judiciary.

GENERAL ORDERS.

Mr. Casey moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Ueland to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota, relating to liens on future interest.

And recommend that the same be amended as follows:

Strike out all of line 10 after the word "animal" in printed bill; and all of line 11 to be stricken out.

Also,

Amend title as follows:

Insert after "North Dakota" the words "for the year 1905;" also in line 2 of printed bill insert after the word "code" "of North Dakota for the year 1905."

And when so amended recommend the same do pass.

Also,

House Bill No 46,

A bill for an act amending section 1116 of the Revised

Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

And recommend that the same be amended as follows:

That in line 5 of the printed bill the words "the respected" be changed to "their respective;" and that an emergency clause be added as follows: "WHEREAS, An emergency exists inasmuch as there is no law in force prohibiting road overseers from taking contract work; therefore, this act shall take effect on and after its passage and approval."

Also,

Change the word "and" in line 17 of printed bill to "or."

And when so amended recommend the same do pass.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

And recommend that the same be amended as follows:

In line 3 of section 1 of printed bill insert the word "three" in lieu of the word "two;" and insert after the word "instruction," in line 4, "one of whom shall be the attorney general."

And

After the word "instruction" in line 6, section 3, of the printed bill, insert "and the attorney general."

And when so amended recommend the same do pass.

Also,

House Bill No. 42,

A bill for a concurrent resolution amending the state constitution.

And recommend that the same do pass.

Also,

House Bill No. 83,

A bill for an act amending section 2385 of the Revised Codes of 1905, relating to the term of eligibility of certain county officers.

And recommend that the same be amended as follows:

Strike out the words "superintendent of schools" in lines 4 and 5.

And when so amended recommend the same do pass.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in

passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

And recommend that the same be amended as follows :

The words "court jail" to be stricken out wherever they so appear and the words "county jail" be substituted in lieu thereof.

Also,

That in line 3 of section 2 the figures "8622" be stricken out and insert in lieu thereof "10442;" and insert "1905" in line 4 in lieu of "1899."

And when so amended recommend that the same do pass.

L. A. UELAND,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Hon. R. M. Pollock occupied a seat with the speaker.

On request of Mr. Sorley of Grand Forks the privileges of the floor were extended to Mr. Carl Sorenson.

On request of Mr. Martin of Billings the privileges of the floor were extended to Dr. Perkins and Mr. Pomeroy of Dickinson and Henry Berry, Ed. Jones, Fred Dewey, Sherman Stanfield, Dr. Morris and J. A. Ulberg of Hettinger county.

Mr. Stevens moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

P. D. NORTON,
Chief Clerk.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 28, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

Mr. White presiding.

Prayer by the Rev. Menges.

Roll call.

All members present except Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peak, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker, who were excused.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the nineteenth day have carefully examined the same and recommend that the same be corrected as follows:

Page 7, line 32, after the word "line" add "2."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Also,

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

Also,

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Also,

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Also,

House Bill No. 42,

A bill for a concurrent resolution amending the state constitution for the selection of county superintendents.

Also,

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

And find the same correctly re-engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 28, 1907.

Mr. Speaker:

I have the honor to transmit the following

CONCURRENT RESOLUTION.

Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That whereas reports have been promiscuously circulated in the various papers of the country that there exists a food and fuel famine in certain portions of North Dakota; and

WHEREAS, Various commercial clubs of several cities in this state, representing every portion thereof, have reported, after investigations, to the legislature that after a thorough investigation of the facts they find:

First, that there is absolutely no food or fuel famine in any portion of North Dakota, but on the contrary a large portion of the state, practically the entire western section thereof, is abundantly supplied with native lignite coal, used exclusively by the residents of that section of the state, and generally by residents of all portions of the state, and easily accessible. That said coal may be procured any day upon the streets of most towns and cities within the state, and the people in most parts of the state are independent of the railroads for their fuel supply, with the exception of a county or two dependent upon branch lines of railroads for service.

Second, that there is no food famine in any section of the state, and no suffering is existing among the people thereof, but on the contrary there is abundant provisions of every kind and nature for all the people of the state and in every portion thereof; that there is no loss of livestock in any portion of the state and, so far as the investigations have extended, they have shown that it was unnecessary to feed range livestock, including horses, cattle and sheep; but on the contrary such stock in a large area of the state have been and are now grazing on the open range, and in other portions of the state ample forage is provided for all stock.

That the investigations disclose that there has been, and now is, absolutely no necessity for aid of any kind to be extended to new settlers in the state; but on the contrary, all new settlers are comfortably housed and have abundance of food and fuel, and possess every appearance of present and permanent prosperity, and that contrary reports given circulation are without foundation and do great injustice to the state.

Which the senate has adopted and your concurrence therein is respectfully requested.

Also,

I have the honor to transmit herewith

Senate Bill No. 47,

A bill for an act to amend section 241, chapter IV of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Also,

Senate Bill No. 37,

A bill for an act amending sections one (1), two (2), and three (3), of chapter 24 of the Special Laws passed at the Sixteenth session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall

assume and pay such proportion thereof, together with the interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing the method of compelling action under this act by an action or proceeding in court.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

MOTIONS AND RESOLUTIONS.

Mr. Burgum moved that
House Bill No. 87,

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

Be taken from the committee of the whole and referred to the committee on game and fish.

Which motion prevailed and
The bill was so referred.

Mr. Johnson of Ward offered the following resolution and moved its adoption:

WHEREAS, The constitution of the state of North Dakota provides that "The legislative assembly shall, in the year 1895, and every tenth year, cause an enumeration to be made of all the inhabitants of this state, and shall at its first regular session after each such enumeration, and also after each federal census, proceed to fix by law the number of senators which shall constitute the senate of North Dakota, and the number of representatives

which shall constitute the house of representatives of North Dakota, within the limits prescribed by this constitution, and at the same session shall proceed to reapportion the state into senatorial districts as prescribed by this constitution, and to fix the number of members of the house of representatives, to be elected from the several senatorial districts;" and

WHEREAS, Nearly one-half of this term of this legislative session has expired and little or no effort has up to the present time been made by the committee on apportionment in considering the bills introduced in this house on the subject of reapportionment; therefore, be it

Resolved, That the committee on apportionment be urged and requested to give this subject of reapportionment its early attention and to report to this house, not later than February 2, 1907, the progress made by said committee toward recommending a bill to comply with the constitutional provisions and mandates above cited.

Roll call demanded.

The question being on the adoption of the resolution.

The roll was called and there were ayes 32, nays 49, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Rose of Dickey
Andrus	Giedt	Schlenker
Burdick	Grant	Shannafelt
Burgum	Griffith	Simpson
Buttz	Hemmingsen	Stevens
Carter	Jensen	Treat
Chapman	Johnson of Ward	Wake
Crawford	Jones of Ransom	Walker
Elhard	Mathews	Watts
Flamer	McDowall	Wedge
Freeman	Mockler	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Piper
Anderson, Grand F'rks	Hanson	Plath
Anderson, Bernt	Haugen	Pugh
Anderson, O. P. N.	Hosford	Restemayer
Blake	Johnson of Pembina	Sorley of Grand Forks
Blegen	Johnson of Sargent	Shirley
Brotnov	Jones of Barnes	Stavens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Midgarden	Swendseid
Cunningham	Miller	Syvertson
Dean	Moore	Thoreson
Duncan	Morin	Tufte
Garden	Nelson of Steele	Ueland
Graham	Nelson of Trail	Welford
Halaas	Parkhill	White
Hallick		

Absent and not voting:

Messrs.—

Brodie
Casey
Dibley
Evans
Ganssle
Hankinson
Martin of Billings

Messrs.—

Monek
Murphy
Oveson
Peake
Purdon
Putnam

Messrs.—

Rohs of Morton
Sinclair
Sorlie of Traill
Steen
Tofsrud
Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the resolution was lost.

Mr. Streeter explained his vote.

Mr. Nelson of Traill explained his vote.

There being no objection the house returned to the Fifth order of business.

The committee on warehouses and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Have had the same under consideration and recommend that the same do pass.

R. G. PIPER,
Chairman.

Mr. Piper moved

That the report be adopted,

Mr. Stevens moved as an amendment that the bill be referred to the committee of the whole.

Which substitute motion was lost.

The question being upon the adoption of the report the same prevailed, and

The report was adopted.

INTRODUCTION, FIRST AND SECOND READINGS OF HOUSE BILLS.

Mr. Chapman, by request, introduced
House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Anderson of Grand Forks introduced
House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Putnam introduced
House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Which was read the first and second times and
Referred to the committee on school and public lands.

Mr. Blegen introduced
House Bill No. 170,

A bill for an act to amend section 6237 of the Revised Code of the state of North Dakota, relative to mechanic's liens.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Johnson of Ward introduced
House Bill No. 171,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Which was read the first and second times and
Referred to the committee on apportionment.

Mr. Purdon introduced

House Bill No. 172,

A bill for an act making appropriation for the improvement of the military camp grounds, located on Rock Island, Ramsey county, North Dakota.

Which was read the first and second times and

Referred to the committee on appropriations.

THIRD READING OF HOUSE BILLS.

House Bill No. 45,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to the investment of school funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 6, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanson	Putnam
Anderson, Grand F'rks	Hemmingsen	Restemayer
Anderson, Bernt	Hosford	Rose of Dickey
Anderson, O. P. N.	Jensen	Schlenker
Andrus	Johnson of Pembina	Shannafelt
Blake	Johnson of Sargent	Simpson
Blegen	Jones of Barnes	Sorley of Grand Forks
Brotnov	Jones of Ransom	Stavens
Burdick	Law	Stevens
Burgum	Martin of Morton	Storey
Buttz	Mathews	Streeter
Carter	Midgarden	Swendseid
Chapman	Miller	Syverson
Connolly	Mockler	Thoreson
Crawford	Moore	Tofsrud
Cunningham	Morin	Treat
Duncan	Nelson of Steele	Tufte
Flamer	Nelson of Traill	Ueland
Freeman	Oveson	Wake
Garden	Parkhill	Walker
Griffith	Piper	Watts
Halaas	Plath	Wedge
Hallick	Pugh	Welford
Hanawalt	Purdon	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Dean	Haugen
Collins	Gibbens	Shirley

Absent and not voting:

Messrs.—

Brodie
Casey
Church
Dibley
Elhard
Evans
Ganssle
Giedt

Messrs.—

Graham
Grant
Hankinson
Johnson of Ward
Martin of Billings
McDowall
Monek

Messrs.—

Murphy
Peake
Rohs of Morton
Sinclair
Sorlie of Traill
Steen
Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Also,

House Bill No. 69,

A bill for an act to amend section 3 of chapter 82 of the Laws of 1897, being section 8403 of the Revised Codes of the state of North Dakota, 1905, relating to how summons shall be served in garnishment.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 41, nays 28, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Blake
Burdick
Burgum
Buttz
Carter
Connolly
Crawford
Cunningham
Duncan
Freeman
Garden
Graham

Messrs.—

Halaas
Hanson
Hemmingsen
Hosford
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Morton
Mathews
McDowall
Mockler
Moore
Nelson of Steele
Parkhill

Messrs.—

Piper
Plath
Purdon
Putnam
Sorley of Grand Forks
Storey
Streeter
Syvertson
Tofsrud
Treat
Ueland
Wedge
White

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brotnov

Messrs.—

Grant
Hallick
Hanawalt
Johnson of Pembina
Miller

Messrs.—

Restemayer
Shannafelt
Shirley
Stevens
Swendseid

Messrs.—

Chapman
Church
Dean
Flamer
Gibbens

Messrs.—

Morin
Nelson of Traill
Oveson
Pugh

Messrs.—

Tufte
Wake
Watts
Welford

Absent and not voting:

Messrs.—

Aaker
Brodie
Casey
Collins
Dibley
Elhard
Evans
Ganssle
Giedt
Griffith
Hankinson

Messrs.—

Haugen
Jensen
Jones of Barnes
Law
Martin of Billings
Midgarden
Monek
Murphy
Peake
Rohs of Morton

Messrs.—

Rose of Dickey
Schlenker
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Thoreson
Walker
Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill was lost.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly

Messrs.—

Grant
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Martin of Morton
Martin of Billings
McDowall

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson

Messrs.—	Messrs.—	Messrs.—
Crawford	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Garden	Oveson	Wedge
Gibbens	Parkhill	Welford
Giedt	Piper	White
Graham	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hankinson	Rohs of Morton
Casey	Law	Rose of Dickey
Dibley	Mathews	Sinclair
Evans	Monek	Sorlie of Traill
Ganssle	Murphy	Mr. Speaker
Griffith	Peake	

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Also,

House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Was read the third time.

Mr. Wedge moved

That the bill be re-referred to the committee on state affairs.

Mr. Stevens moved as an amendment that the bill be referred to the committee of the whole.

Which amendment prevailed, and

The bill was so referred.

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 57, nays 22, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hanson	Plath
Anderson, O. P. N.	Haugen	Pugh
Andrus	Hosford	Purdon
Blake	Jensen	Putnam
Burdick	Johnson of Sargent	Schlenker
Burgum	Johnson of Ward	Shannafelt
Buttz	Jones of Barnes	Simpson
Church	Jones of Ransom	Sorley of Grand Forks
Collins	Law	Stevens
Connolly	Martin of Morton	Storey
Cunningham	Mathews	Streeter
Dean	McDowall	Syverson
Elhard	Midgarden	Thoreson
Flamer	Miller	Treat
Gibbens	Mockler	Tufte
Graham	Moore	Ueland
Halaas	Morin	Wake
Hallick	Nelson of Traill	Welford
Hanawalt	Piper	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Garden	Shirley
Anderson, Bernt	Grant	Stavens
Blegen	Griffith	Steen
Brotnov	Hemmingsen	Swendseid
Carter	Johnson of Pembina	Tofsrud
Chapman	Nelson of Steele	Watts
Duncan	Parkhill	Wedge
Freeman		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Restemayer
Brodie	Hankinson	Rohs of Morton
Casey	Martin of Billings	Rose of Dickey
Crawford	Monek	Sinclair
Dibley	Murphy	Sorlie of Traill
Evans	Oveson	Walker
Ganssle	Peake	Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Buttz explained his vote.

Mr. Burgum moved

That the vote by which House Bill No. 49 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Also,

House Bill No. 54,

A bill for an act amending section 2439 of the Revised Codes of 1905 relating to county funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Purdon
Adams	Hanawalt	Putnam
Anderson, Grand F'rks	Hanson	Restemayer
Anderson, Bernt	Haugen	Rose of Dickey
Anderson, O. P. N.	Hemmingsen	Schlenker
Andrus	Hosford	Shannafelt
Blake	Jensen	Simpson
Blegen	Johnson of Pembina	Sorley of Grand Forks
Brotnov	Johnson of Sargent	Shirley
Burdick	Johnson of Ward	Stavens
Burgum	Jones of Barnes	Stevens
Buttz	Jones of Ransom	Storey
Carter	Law	Streeter
Chapman	Martin of Morton	Swendseid
Church	Mathews	Syvertson
Collins	McDowall	Thoreson
Connolly	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Flamer	Nelson of Steele	Walker
Garden	Nelson of Traill	Watts
Gibbens	Oveson	Wedge
Graham	Parkhill	Welford
Griffith	Piper	White
Halaas	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Plath
Casey	Grant	Rohs of Morton
Crawford	Hankinson	Sinclair
Dibley	Martin of Billings	Sorlie of Traill
Evans	Monek	Steen
Freeman	Murphy	Mr. Speaker
Ganssle	Peake	

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Also,

House bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 7, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Faugen	Restemayer
Anderson, O. P. N.	Hemmingsen	Schlenker
Andrus	Hosford	Shannafelt
Blake	Jensen	Sorley of Grand Forks
Blegen	Johnson of Pembina	Shirley
Brotnov	Johnson of Sargent	Stavens
Burdick	Johnson of Ward	Steen
Burgum	Jones of Barnes	Storey
Buttz	Jones of Ransom	Swendseid
Carter	Law	Syverson
Church	Mathews	Thoreson
Collins	McDowall	Tofsrud
Crawford	Midgarden	Treat
Cunningham	Miller	Tufte
Dean	Mockler	Ueland
Duncan	Moore	Wake
Elhard	Morin	Walker
Flamer	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Oveson	Welford
Graham	Piper	White
Grant	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Parkhill	Stevens
Hanson	Simpson	Streeter
Martin of Morton		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Peake
Casey	Hanawalt	Rohs of Morton
Chapman	Hankinson	Rose of Dickey
Dibley	Martin of Billings	Sinclair
Evans	Monek	Sorlie of Traill
Freeman	Murphy	Mr. Speaker
Ganssle		

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Honek, Murphy, Peake, Rohs of Morton, Sonclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Streeter explained his vote.

Mr. Simpson explained his vote.

Mr. Haugen moved

That the vote by which House Bill No. 25 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Also,

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendent of the Edgely sub-experiment station.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays none, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Flamer
Garden
Gibbens
Giedt
Graham
Grant

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Trail
Oveson
Piper
Plath

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Shirley
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hankinson	Peake
Casey	Johnson of Ward	Rohs of Morton
Dibley	Martin of Billings	Sinclair
Evans	Monek	Sorlie of Traill
Freeman	Murphy	Stavens
Ganssle	Parkhill	Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 81 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Also,

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 5, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Restemayer
Adams	Hallick	Rose of Dickey
Anderson, Grand F'rks	Hanawalt	Schlenker
Anderson, Bernt	Haugen	Shannafelt
Blake	Hemmingsen	Simpson
Blegen	Hosford	Sorley of Grand Forks
Brotnov	Jensen	Shirley
Burdick	Johnson of Pembina	Stavens
Burgum	Johnson of Sargent	Steen
Buttz	Jones of Barnes	Stevens
Carter	Jones of Ransom	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Mathews	Syverson
Connolly	McDowall	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Mockler	Treat
Dean	Morin	Tufte

Messrs.—	Messrs.—	Messrs.—
Duncan	Nelson of Steele	Ueland
Flamer	Nelson of Traill	Wake
Garden	Oveson	Walker
Giedt	Parkhill	Watts
Graham	Piper	Welford
Grant	Pugh	White
Griffith	Purdon	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Moore	Putnam
Miller	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Ganssle	Murphy
Brodie	Gibbens	Peake
Casey	Hankinson	Rohs of Morton
Dibley	Hanson	Sinclair
Elhard	Johnson of Ward	Sorlie of Traill
Evans	Martin of Billings	Wedge
Freeman	Monek	Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 36 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Stevens asked that

House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

Be referred back to the judiciary committee.

There being no objection the bill was so referred.

Also,

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 3, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hemmingsén	Restemayer
Adams	Hosford	Rose of Dickey
Anderson, Grand F'rks	Jensen	Schlenker
Anderson, Bernt	Johnson of Pembina	Simpson
Anderson, O. P. N.	Johnson of Sargent	Sorley of Grand Forks
Andrus	Jones of Barnes	Shirley
Blake	Law	Steen
Blegen	Martin of Morton	Stevens
Brotnov	Mathews	Storey
Collins	Midgarden	Streeter
Connolly	Miller	Swendseid
Cunningham	Mockler	Syverson
Duncan	Moore	Thoreson
Freeman	Morin	Tofsrud
Garden	Nelson of Steele	Treat
Gibbens	Nelson of Traill	Tufte
Graham	Oveson	Ueland
Grant	Parkhill	Wake
Griffith	Piper	Walker
Halaas	Plath	Watts
Hallick	Pugh	Wedge
Hanawalt	Purdon	Welford
Hanson	Putnam	White
Haugen		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Chapman	Johnson of Ward

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Elhard	Monek
Burdick	Evans	Murphy
Burgum	Flamer	Peake
Buttz	Ganssle	Rohs of Morton
Casey	Giedt	Shannafelt
Church	Hankinson	Sinclair
Crawford	Jones of Ransom	Sorlie of Traill
Dean	Martin of Billings	Stavens
Dibley	McDowall	Mr. Speaker

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 43 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Also,

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

Was read the third time.

Mr. Stevens moved

That the further consideration of the bill be referred to general orders.

Which motion prevailed, and

The bill was so referred.

House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 14, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake
Burdick
Burgum
Church
Collins

Messrs.—

Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent

Messrs.—

Purdon
Putnam
Rose of Dickey
Schlenker
Sorley of Grand Forks
Shirley
Stavens
Steen
Stevens

Messrs.—	Messrs.—	Messrs.—
Connolly	Jones of Barnes	Storey
Dean	Martin of Morton	Streeter
Duncan	Mathews	Swendseid
Elhard	Miller	Syvertson
Freeman	Mockler	Thoreson
Garden	Moore	Tofsrud
Gibbens	Nelson of Steele	Tufte
Giedt	Nelson of Trail	Ueland
Graham	Oveson	Wake
Grant	Parkhill	Welford
Griffith	Piper	White
Halaas	Pugh	

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Chapman	Midgarden
Andrus	Crawford	Simpson
Blegen	Cunningham	Walker
Brotnov	Flamer	Watts
Buttz	Jones of Ransom	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Brodie	Law	Restemayer
Casey	Martin of Billings	Rohs of Morton
Carter	McDowall	Shannafelt
Dibley	Monek	Sinclair
Evans	Morin	Sorlie of Trail
Ganssle	Murphy	Wedge
Hankinson	Peake	Mr. Speaker
Johnson of Ward	Plath	

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankinson, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

Mr. Treat passed.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 34 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Stevens moved

That the vote by which House Bill No. 54 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion was lost.

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 5, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, Bernt	Hanawalt	Putnam
Anderson, O. P. N.	Hanson	Restemayer
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Simpson
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Burdick	Johnson of Sargent	Shirley
Burgum	Johnson of Ward	Stavens
Buttz	Jones of Barnes	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Mathews	Swendseid
Connolly	McDowall	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Duncan	Mockler	Tufte
Elhard	Moore	Ueland
Freeman	Nelson of Steele	Wake
Garden	Nelson of Traill	Watts
Giedt	Oveson	Wedge
Graham	Parkhill	Welford
Grant	Piper	White
Griffith		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Treat
Flamer	Jones of Ransom	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hankinson	Plath
Brodie	Jensen	Rohs of Morton
Carter	Martin of Billings	Schlenker
Casey	Monek	Shannafelt
Crawford	Morin	Sinclair
Dibley	Murphy	Sorlie of Traill
Evans	Peake	Mr. Speaker
Ganssle		

Messrs. Brodie, Casey, Dibley, Evans, Ganssle, Hankin-

son, Monek, Murphy, Peake, Rohs of Morton, Sinclair, Sorlie of Traill and Mr. Speaker being excused.

Messrs. Hosford, Steen and Walker passed.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 68 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

On request of Mr. Tofsrud the privileges of the floor were extended to Mr. F. T. Gronvold of Rugby.

The speaker pro tem. administered the oath of office to Florence Connolly, stenographer, and John Human, janitor, also Eugene Tessier, janitor.

Mr. Treat moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 29, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.
Prayer by the chaplain.
Roll call.

All members present except Messrs. Brodie, Ganssle, Murphy and Hankinson who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 29, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Be it Resolved by the Senate of the State of North Dakota, the House Concurring:

WHEREAS, The Wisconsin grain grading and inspection law at Superior, Wisconsin, is the legally established market for the grains of this state,

the state being represented by a commissioner on the board that regulates the same to whom it contributes a portion of his salary; and

WHEREAS, The operations of the law are now tied up in the courts and inoperative, being bitterly opposed by the railroads, elevators and boards of trade operating under the Minnesota grain grading and inspection law, thereby destroying competition to the great injury of the farmers of this state; and

WHEREAS, The Minnesota law is not satisfactory in its dockage and in allowing terminal elevators to doctor wheat by scouring and mixing inferior grades, thereby advancing the grades and shipping out a greater amount of higher grades of wheat than were taken in, thus making unnatural gains for the elevators, and a corresponding loss to the grain growers, besides degrading the quality of our wheat in the markets of the world; and

WHEREAS, There are frequently losses to shippers through defective cars, being so either when loaded or by rough handling when in transit or in the terminal yards, causing numerous losses not accounted for; therefore, be it

Resolved, That this legislative assembly, composed of the representatives of the farmers and business interests of the state, believing that there should be free, open, competitive markets for our products and that we should receive just value therefor, do respectfully request and urge:

First, that all opposition be withdrawn from the establishment of an equitable grain grading and inspection law at Superior, Wisconsin, giving to us a competitive market.

Second, that the legislative assembly of the state of Minnesota be requested to amend its grain grading and inspection laws, establishing grain hospitals for customers only, and prohibiting terminal elevators from shipping out more grain of a given grade than was received in.

Third, that the legislative assembly of the state of Wisconsin be also requested to amend its grain grading and inspection laws to harmonize with the requests set forth in the second article of this resolution, and to prohibit a few persons from controlling the storage capacity of an elevator to the detriment of the many.

Fourth, that the suction draft be prohibited before grain is weighed and dockage taken, and that the value of the dockage be accounted for and paid to the owner of the grain from which it was taken.

Fifth, that a car inspection be established in each of these states to ascertain the exact condition of cars arriving, loaded with grain, and that all defective cars be specifically noted and reported to the head of the grain inspection department where they entered, and a duplicate notice thereof sent to the company to which the car belonged; and be it further

Resolved, That should we fail through these recommendations and requests to procure a redress of these grievances, we respectfully urge the grain growers of this state to co-operate for the purpose of building local and terminal elevators; and be it further

Resolved, That we favor a national grain grading and inspection law that will be uniform in all the states, thus abolishing the special system in each state; and be it further

Resolved, That the secretary of state be requested to send a copy of these resolutions to each of our representatives in both branches of congress, also one each to the secretary of state, the president of the senate and the speaker of the house of representatives of the states of Wisconsin and Minnesota, and to the presidents of the boards of trade of Superior, Wisconsin, and Duluth, Minnesota.

Which the senate has adopted and your favorable concurrence therein is respectfully requested.

Also,

I have the honor to transmit herewith

Senate Bill No. 77,

A bill for an act to amend section 5039 of the Revised Codes of 1905, relating to conveyances.

Also,

Senate Bill No. 80,

A bill for an act entitled: "An act defining the duties of district school boards in relation to the planting, cultivation and protection of trees and shrubs upon school house grounds.

Also,

Senate Bill No. 63,

A bill for an act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled "Concentrated commercial feeding stuff," prescribing a penalty for the violation thereof, providing for the inspection, testing and analysis of said feeding stuffs; charging the North Dakota government agricultural experiment station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

The committee on revision and correction of the journal made the following report:

Mr Speaker:

Your committee on revision and correction of the journal of the twenty-first day have carefully examined the same and recommend that the same be corrected as follows:

In line 15, page 9, change "71" to "72."

In line 16, page 9, change "23" to "22."

And when so amended recommend that the same be approved.

A. O. GRAHAM,

Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Mr. Streeter moved
That the assistant clerk carry out the method of yesterday and mark the notations similar.
Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 29, 1907.

Mr. Speaker:

I have the honor to return herewith the following House Concurrent Resolution:

WHEREAS, The construction placed upon the law passed at the last session of the congress of the United States and known as the denatured alcohol law, by the internal revenue bureau, is such that it is difficult to convert the waste and other products of the farm into denatured alcohol for use as light, heat and power; and

WHEREAS, There is now pending in said congress of the United States an amendment to said law which, if passed, will permit the conversion of these waste and other products of the farm into denatured alcohol at small expense to the producer thereof; therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota. That our representatives in congress be, and they are hereby, requested to do all in their power to secure the enactment of said amendment into law; and be it further

Resolved, That the governor be, and he is hereby, requested to forward a certified copy of this resolution to each of the members of congress from this state.

Which the senate has amended as follows:

By striking out the word "governor" in the first line of the last paragraph and substituting therefor the words "secretary of state."

And in which amended resolution the senate has concurred.

Very respectfully,
J. W. FOLEY,
Secretary.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Presented by Mr. Midgarden.

To the Tenth Legislative Assembly of the State of North Dakota:

GENTLEMEN: The undersigned being citizens and taxpayers within the state of North Dakota hereby respectfully petition your honorable body to take such steps as are legally necessary to cause the interest on the purchase price of state and school lands heretofore sold and not yet entirely paid for and all of such lands hereafter sold to be reduced from six per cent. to four per cent.

SVEND ELLIFSEN,
AND FIFTY OTHERS.

Also,

The following by Mr. Piper:

PETITION.

We, the undersigned residents and freeholders of Cass county, North Dakota, would respectfully petition the Honorable members of the legislature of North Dakota to take some action looking towards the railroad companies furnishing cars for the transportation of grain and other of our products. Owing to the great scarcity of cars this fall, we have been put to great inconvenience and also to great financial loss, as we have been obliged to carry our wheat, borrow money at high rates of interest and wheat today is not worth as much as it was two months ago. We have also been subject in many cases to loss by reason of not getting a fair grade for our wheat and of having the wheat docked for dirt more than it should have been and this would not have happened had we been able to obtain cars to ship our wheat in and in that way to have made a competitive market.

Trusting that your honorable body will try and do something for our relief and the relief of our brother farmers throughout the state, we are

Respectfully,

JOHN MARTIN CHAFFEE,
AND FIFTY OTHERS.

Also,

Petition presented by Mr. Brotnov.

To the Tenth Legislative Assembly of the State of North Dakota:

GENTLEMEN: The undersigned being citizens and taxpayers within the state of North Dakota hereby respectfully petition your honorable body to take such steps as are legally necessary to cause the interest on the purchase price of state and school lands heretofore sold and not yet entirely paid for and all of such lands hereafter sold to be reduced from six per cent. to four per cent.

M. O. BERG.

AND TWENTY-FIVE OTHERS.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred
House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 138,

A bill for an act to amend section 850 of the Revised Codes of 1905 of the State of North Dakota, concerning report of treasurers of school districts.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House bill No. 11,

A bill for an act to amend section 1478 of the revised codes of 1895, being section 1854 of the revised codes of 1905 relating to residence of the poor.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 111,

A bill for an act to amend section 1 of chapter 60 of the
Laws of 1903 relating to increased jurisdiction of county
courts.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely
postponed.

Also,

House Bill No. 142,

A bill for an act providing a method of taking away the
increased jurisdiction of county courts.

Have had the same under consideration and recommend
that the same be amended as follows:

At the end of section 4 add the following: "And the jurisdiction in cases
of misdemeanors arising under the laws of this state which may have been
taken from police magistrates by the increased jurisdiction of said county
court, shall be fully restored to such police magistrates."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 152,

A bill for an act entitled an act to amend section 469 of
the Revised Codes of North Dakota of 1905, relating to the
boundaries and terms of court in the First judicial district.

And when so amended recommend the same do pass.

Have had the same under consideration and recommend
the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

House Bill No. 117,

A bill for an act to amend section 4079 of the Revised Codes of North Dakota, 1905, relating to rights and capacity of husband and wife.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "section" in title and substitute the following: "4082 of the revised codes of 1905 relating to separate and mutual rights and liabilities of husband and wife.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. That section 4082 of the revised codes of 1905 be, and the same is hereby, amended to read as follows:

"Section 4082. Separate and Mutual Rights and Liabilities.] Neither the husband nor the wife, as such, is answerable for the acts of the other.

"(2). The earnings of the wife are not liable for the debts of the husband; and the earnings and accumulations of the wife and of her minor children living with her, or in her custody, while she is living separate from her husband, are the separate property of the wife. *Provided*, however, that the husband and wife shall be jointly and severally liable for any debts contracted by either while living together for necessary household supplies, of food, clothing and fuel for themselves and family; and for debts incurred in the education of her children.

"SEC. 2. Repeal.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed."

And when so amended recommend the same do pass

J. A. SORLEY,
Chairman.

UNFINISHED BUSINESS.

As per instruction of the committee of the whole on January 23 the speaker announced the following special committee to prepare a bill on the subject of weights and measures.

Messrs. Stevens, Chairman; Law, Burgum, Tufte, Duncan.

Mr. Stevens moved that the speaker be appointed chairman instead of himself.

Which motion prevailed.

The clerk notified Prof. Ladd.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Freeman introduced

House Bill No. 173,

A bill for an act to define the senatorial and representative districts of the state of North Dakota and prescribe the number of senators and representatives therein.

Which was read the first and second times and
Referred to the committee on apportionment.

Mr. Anderson of Grand Forks introduced

House Bill No. 174,

A bill for an act to amend sections 1531 of the Revised Codes of 1905 of the state of North Dakota. The same relating to the state board of equalization.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Shirley introduced

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Shirley introduced

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Tufte introduced

House Bill No. 177,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota of 1905, relating to mutual insurance companies, premium and liabilities.

Which was read the first and second times and
Referred to the committee on insurance.

Mr. Tufte, by request, introduced

House Bill No. 178,

A bill for an act entitled, "An act to amend section 1230,

Revised Codes, 1899, North Dakota, relating to tax lists to be made out by county auditors."

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Ueland introduced

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Duncan introduced

House Bill No. 180,

A bill for an act to repeal sections 2297, 2298 and 2299 of the Political Code as compiled in the Revised Codes of North Dakota for 1905, and to re-enact sections 2300, 2301 and 2302 of said chapter 28 of the said Political Code of North Dakota as compiled in the Revised Codes of North Dakota for 1905.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Piper introduced

House Bill No. 181,

A bill for an act to repeal section 9448 of the Revised Codes of North Dakota of 1905, relating to fraudulently obtaining food or accommodations at inns.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. O. P. N. Anderson introduced

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Burgum introduced

House Bill No. 183,

A bill for an act to amend section 6 of chapter 141 of the

Laws of 1905, being section 2218 of the Revised Codes of 1905, in relation to the inspection of oil.

Which was read the first and second times and
Referred to the committee on state affairs.

The house proceeded to the thirteenth order of business,
and

Senate Bill No. 8,

A bill for an act to amend and re-enact section 7459 of the Revised Code of 1905, relating to the foreclosure of mortgage on real property.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 15,

A bill for an act providing for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.

Was read the first and second time, and
Referred to the committee on public health.

Also,

Senate Bill No. 29,

A bill for an act to amend section 7252 of the Revised Code of 1905, relating to examination of an adverse party.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 48,

A bill for an act to repeal sections 395, 396, 397, 398 and 399 of the Revised Codes of 1905, relating to state weather bureau.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 55,

A bill for an act to provide for the making official of certain county records.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 4,

A bill for an act relating to the qualifications of all state, county and city election officers.

Was read the first and second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 31,

A bill for an act to amend section 9885 of the Revised Code of 1905 relating to arraignment.

Was read the first and second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

Was read the first and second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 47,

A bill for an act to amend section 241, chapter IV of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Was read the first and second time, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 37,

A bill for an act amending sections one (1), two (2), and three (3), of chapter 24 of the Special Laws passed at the Sixteenth session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall assume and pay such proportion thereof, together with the

interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing the method of compelling action under this act by an action or proceeding in court.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 63,

A bill for an act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled "Concentrated commercial feeding stuff," prescribing a penalty for the violation thereof, providing for the inspection, testing and analysis of said feeding stuffs; charging the North Dakota government agricultural experiment station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Was read the first and second time, and
Referred to the committee on public health.

Also,

Senate Bill No. 77,

A bill for an act to amend section 5039 of the Revised Codes of 1905, relating to conveyances.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 80,

A bill for an act entitled: "An act defining the duties of district school boards in relation to the planting, cultiva-

tion and protection of trees and shrubs upon school house grounds.

Was read the first and second time, and
Referred to the committee on forestry.

THIRD READING OF HOUSE BILLS.

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Was read the third time.

Mr. Piper asked unanimous consent to amend the bill.

There being no objection Mr. Piper offered the following amendment:

Strike out the first "or" in line 14 of printed bill.

And moved its adoption.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 90, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Cunningham
Dean
Dibley
Duncan
Elhard
Evans

Messrs.—

Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Mockler
Monek
Moore

Messrs.—

Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat

Messrs.—	Messrs.—	Messrs.—
Flamer	Morin	Tufte
Freeman	Nelson of Steele	Ueland
Garden	Nelson of Traill	Wake
Gibbens	Oveson	Walker
Giedt	Ieake	Watts
Graham	Piper	Welford
Grant	Plath	White
Griffith	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Ganssle	Murphy
Connolly	Hankinson	Farhill
Crawford	McDowall	Wedge

Messrs Brodie, Ganssle, Hankinson and Murphy being excused.

Mr. Bernt Anderson passed.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 46 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

Was read the third time.

Mr. Stevens asked unanimous consent to offer an amendment.

There being no objection

Mr. Steven offered the following amendment:

That all preceding "A Bill" in the preamble be stricken out,

And moved its adoption.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Schlenker
Blegen	Hosford	Shannafelt
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Shirley
Casey	Jones of Ransom	Stavens
Chapman	Law	Steen
Church	Martin of Billings	Stevens
Collins	Mathews	Storey
Crawford	McDowall	Streeter
Cunningham	Midgarden	Swendseid
Dean	Miller	Syvertson
Dibley	Mockler	Thoreson
Duncan	Monek	Tofsrud
Elhard	Moore	Treat
Evans	Morin	Tufte
Flamer	Nelson of Steele	Ueland
Freeman	Nelson of Traill	Wake
Ganssle	Oveson	Walker
Garden	Parkhill	Watts
Gibbens	Peake	Welford
Giedt	Piper	White
Graham	Plath	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hankinson	Murphy
Connolly	Martin of Morton	Wedge

Messrs. Brodie, Ganssle, Hankinson and Murphy being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which House Bill No. 64 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The house returned to the twelfth order of business.

And

Mr. Buttz moved

That the house do now concur in senate amendment to concurrent resolution relating to denatured alcohol.

Which motion prevailed, and

The concurrent resolution as amended by the senate was adopted.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Pugh to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

And recommend that the same be amended as follows:

By striking out in section 4, lines 4 and 5, the words "the board of railroad commissioners and its secretary when traveling on official business."

Also add as section 8:

"SEC. 8. WHEREAS, An emergency exists in this: that there is now no law covering the provisions of this bill, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend that the same do pass.

THOS. H. PUGH,
Chairman.

Mr. Stevens moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That the rules be suspended and that House Bill 18 be considered as engrossed and that it be placed on its third reading and final passage.

Which motion prevailed, and

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 13, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Carter
Casey
Collins
Cunningham
Duncan
Evans
Garden
Gibbens

Messrs.—

Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland

Messrs.—	Messrs.—	Messrs.—
Graham	Peake	Wake
Grant	Piper	Walker
Halaas	Plath	Watts
Hallick	Pugh	Wedge
Hanawalt	Purdon	Welford
Hanson	Putnam	White
Haugen	Restemayer	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Chapman	Flamer	Johnson of Ward
Church	Freeman	McDowall
Crawford	Giedt	Stevens
Dibley	Johnson of Sargent	Treat
Elhard		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Ganssle	Hankinson
Connolly	Griffith	Murphy

Messrs. Brodie, Ganssle, Hankinson and Murphy being excused.

Messrs. Buttz and Dean passed.

Mr. Martin of Billings excused.

So the bill passed and the title was agreed to.

Mr. White moved

That the vote by which House Bill No. 18 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The speaker administered the oath of office to John Wakeman, janitor.

On request of Mr. Duncan the privileges of the floor were extended to Mr. Harriman of Benson county.

On request of Mr. Pugh the privileges of the floor were extended to Mr. C. J. Murphy of Grand Forks, N. D.

On request of Mr. Casey the privileges of the floor were extended to Mr. Kelly of Grafton, N. D.

On request of Mr. Treat the privileges of the floor were extended to Messrs. Crabbe, Hagen, Fickley and Danglely.

On request of Mr. Speaker the privileges of the floor were extended to Mr. Wagner of Bottineau.

Mr. Haugen moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

P. D. NORTON,
Chief Clerk.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 30, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Brodie and Ganssle, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 30, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Also,

Senate Bill No. 81,

A bill for an act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitroglycerine, dynamite, gunpowder or any other high explosive, and providing a penalty therefor.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very Respectfully,

J. W. FOLEY,

Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-second day have carefully examined the same and recommend that the same be corrected as follows:

Page 8, third line from bottom, strike out words "and when so amended" and insert in lieu thereof "have had the same under consideration and."

And when so amended recommend that the same be approved.

A. O. GRAHAM,

Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Wake presented the following petition:

*To the Honorable Senate and House of Representatives of
..the State of North Dakota:*

We the undersigned producers and shippers of Heaton, Wells county, North Dakota, believing that the interests of all demands that a measure be enacted into law in this state establishing reciprocal relations between shippers and transportation companies respectfully petition your honorable bodies to introduce and pass a bill to be entitled "Reciprocal Demurrage" the same or similar to the law now

operative in the state of Wisconsin, and your petitioners will ever pray.

LOUIS FALK
AND THIRTY-TWO OTHERS.

Mr. Stevens moved

That the petition be referred to the committee on railroads.

Which motion prevailed.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 152,

A bill for an act entitled an act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the First judicial district.

Also,

House Bill No. 138,

A bill for an act to amend section 850 of the Revised Codes of 1905 of the State of North Dakota, concerning report of treasurers of school districts.

Also,

House bill No. 11,

A bill for an act to amend section 1478 of the revised codes of 1895, being section 1854 of the revised codes of 1905 relating to residence of the poor.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Also,

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Also,

House bill No. 18,

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor and making it unlawful for any person to ask for or accept any such free transportation, or transportation purchased at a less rate than that charged the public, and providing a penalty therefor.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

And find the same correctly re-engrossed

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

House Bill No. 88,

A bill for an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries and provisions used in operating the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN STOREY,
Chairman.

Mr. Storey moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 102,

A bill for a concurrent resolution suspending, delaying and postponing the operation of sections 1554 and 1571 of the Revised Codes of 1905, in so far as said sections relate to the attaching of penalties to delinquent personal and real property taxes assessed for the year 1906, until July 1st, 1907.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. T. TOFSRUD,

Chairman.

Mr. Tofsrud moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 158,

A bill for an act to amend section 433 of the Revised Codes of the state of North Dakota of 1905 relating to deputies and their bonds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on agriculture made the following report:
Your committee on agriculture to whom was referred
House Bill No. 132,

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, in line 7, strike out all words following, and beginning with, "and;" strike out all of line 8; strike out all of line 9, and the words "of dairy products" in line 10. In line 10 strike out "and dairy;" in line 11 strike out "inspector" and "each."

On page 2, strike out lines 16, 17 and 18. In line 24 strike out words "who shall act as chief, and dairy inspector." In line 25 strike out words "who shall be his assistant." In line 32 strike out the words "four thousand and five hundred dollars," also figures in parentheses, "(\$4,500.00)," and insert in lieu thereof the words and figures "two thousand, five hundred dollars (\$2,500.00)."

On page 3, in line 39, strike out words "and dairy." also the word "inspector," beginning in line 39 and ending in line 40. In line 4 of section 2, page 3, strike out words "and dairy inspector." In line 1 of section 3 on page 3 strike out the words "and dairy." also the word "inspector," beginning in line 1 of section 3, and ending in line 2 of said section.

On page 4, in line 17, strike out the words "and dairy inspector."

On page 10, in line 4 of section 14, correct spelling of second word from the beginning of said line, by substituting letter "e" for letter "a."

On page 12, in section 19, strike out lines 4 and 5.

And when so amended recommend the same do pass

A. R. SWENDSEID,

Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House Bill No. 2,

A bill for an act for the election of United States Senators by popular vote.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all preamble.

In section 1, line 20, of printed bill, strike out the word "plurality" and insert in lieu thereof the word "majority."

In section 2, line 14, of printed bill, strike out the words "the highest number" and insert in lieu thereof the word "majority."

At the end of bill add the word "date" with date line and signature line.

And when so amended recommend the same do pass

M. A. SHIRLEY,
Chairman.

The committee on judiciary made the following report:
Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 108,

A bill for an act amending section 8279 of the Revised Codes of 1899, relating to criminal procedure.

Have had the same under consideration and recommend that the same be amended as follows:

In the title strike out "8279" and substitute in lieu thereof "10088;" strike out "1899" and substitute in lieu thereof "1905."

In line 1 of section 1 strike out "8279" and substitute therefor "10088."

In line 2 of section 1 strike out "1899" and substitute therefor "1905."

In line 3 strike out "8279" and substitute in lieu thereof "10088."

And when so amended recommend the same do pass

J. A. SORLEY,
Chairman.

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker :

Your committee on ways and means to whom was referred
House Bill No. 70,

A bill for an act requiring county commissioners to furnish an official bond to his county.

Have had the same under consideration and recommend that the same be indefinitely postponed.

K. O. BROTN OV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 155,

A bill for an act to provide for the enforcement of section 9319 of the Revised Codes of 1905, and other laws relating to cruelty to animals.

Have had the same under consideration and recommend that the same be indefinitely postponed.

K. O. BROTN OV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 101,

A bill for an act requiring each county officer who receives from any county a stated salary for his services, to keep a record of the fees received by him, as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Have had the same under consideration and recommend that the same do pass.

K. O. BROTNOV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Have had the same under consideration and recommend that the same be amended as follows:

In the title change "ten thousand" to "five thousand."

Strike out all up to the word "the" in line 1 of printed bill

Change the word "ten" to "five" and the word "to" to "may" in line 3.

In line 7 strike out the word "and" between "tools" and "materials."

And add to the bill "and the necessary guards to superintend the work and prevent the escape of said convicts. The sheriff to have full control and care of said convicts."

And when so amended recommend the same do pass.

K. O. BROTNOV,
Chairman.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Line 26, page 2, of printed bill, strike out the words "three hundred dollars" and substitute in lieu thereof the words "one hundred dollars."

Line 28, page 2, of printed bill, strike out the words "five hundred dollars" and substitute in lieu thereof the words "three hundred dollars."

And when so amended recommend the same do pass.

E. L. GARDEN,
Chairman.

There being no objection the house proceeded to the Seventh order of business.

Mr. Miller offered the following resolution and moved its adoption.

Resolved by the House of Representatives, the Senate Concurring, That when the house adjourn on Thursday next it be to Tuesday, February 5, 1907.

Which motion prevailed and
The resolution was adopted.

Mr. O. J. Sorlie offered the following resolution:

WHEREAS, The Inter-State Collegiate Debating society of the University of North Dakota has made arrangements to meet the University of Montana in joint debate at Bismarck on or about February 20th; and

WHEREAS, The question of securing a suitable place in which to hold the said debate is now being considered; be it, therefore,

Resolved by the House of Representatives, That we do tender the use for such debate of the house chamber to the said debating societies on the evening of any date that may later be agreed upon for the holding of said debate.

Mr. Sorley of Grand Forks moved the adoption of the resolution.

Which motion prevailed and
The resolution was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred House Bill No. 39,

A bill for an act to preserve the public health by regulating and prohibiting the use or feeding of unwholesome food products to live stock, poultry or animals used or kept for consumption as a food, and by providing for the inspection and quarantine of all live stock, hogs, poultry and other animals affected by any contagious or infectious disease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

There being no objection House Bill No. 95 was recalled from the committee on taxation and tax laws and referred to the committee on judiciary.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Steen introduced

House Bill No. 184,

A bill for an act to amend section 2245 of the Revised Codes of 1905, relating to the license of grain warehouses.

Which was read the first and second times and

Referred to the committee on warehouses and grain grading.

Mr. Tufte introduced

House Bill No. 185,

A bill for an act to prohibit and punish the sale, offering for sale or bringing into the state for the purpose of selling, cigarettes, cigarette paper or substitute for the same, and to prohibit and punish the use of cigarettes, cigars or to-

bacco by persons under 18 years of age, and to prohibit and punish the carrying or having by any person under 18 years of age of any cigarettes, cigars or tobacco, and to prohibit and punish the harboring of persons under 18 years of age, or permitting them to gather or frequent any place or premises to indulge in the use of cigarettes, cigars or tobacco, and to repeal section 9078 of the Revised Codes of 1905.

Which was read the first and second times and
Referred to the committee on public health.

Mr. Jones of Ransom introduced
House Bill No. 186,

A bill for an act to amend section 4323 of the Revised Codes of North Dakota for 1905, relating to transfer facilities at track crossings at grade of common carriers, and determining how the expenses of such track crossings shall be paid.

- Which was read the first and second times and
Referred to the committee on railroads.

Mr. Buttz moved
House Bill No. 187,

A bill for an act to extend time for the payment of real estate taxes for the year 1906.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. Dibley introduced
House Bill No. 188,

A bill for an act providing for a regulation of labor, bureau of labor, employment bureaus and state board of arbitration.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Johnson of Sargenat introduced
House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of 1905 of North Dakota, relating to highways on county and township lines.

Which was read the first and second times and
Referred to the committee on highways, bridges and ferries.

THIRD READING OF HOUSE BILLS.

House Bill No. 42,

A bill for a concurrent resolution amending the state constitution for the selection of county superintendents.

Which was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 59, nays 24, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Pugh
Anderson, Bernt	Hemmingsen	Purdon
Anderson, O. P. N.	Hosford	Putnam
Andrus	Jensen	Rose of Dickey
Blake	Johnson of Sargent	Sorley of Grand Forks
Blegen	Johnson of Ward	Sorlie of Trail
Burgum	Jones of Ransom	Shirley
Carter	Law	Stavens
Casey	Mathews	Steen
Chapman	McDowall	Storey
Church	Miller	Streeter
Connolly	Mockler	Swendseid
Dibley	Monek	Syverson
Duncan	Moore	Tofsrud
Flamer	Morin	Tufte
Garden	Murphy	Ueland
Graham	Oveson	White
Griffith	Peake	Mr. Speaker
Halaas	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Johnson of Pembina	Shannafelt
Buttz	Jones of Barnes	Simpson
Dean	Martin of Morton	Stevens
Evans	Midgarden	Thoreson
Gibbens	Nelson of Steele	Treat
Grant	Nelson of Traill	Walker
Hankinson	Rohs of Morton	Watts
Haugen	Schlenker	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Elhard	Parkhill
Brotnov	Freeman	Restemayer
Burdick	Ganssle	Sinclair
Collins	Giedt	Wake
Crawford	Hanson	Wedge
Cunningham	Martin of Billings	

Messrs. Brodie and Ganssle being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which House Bill No. 42 passed be reconsidered and the motion to reconsider be laid upon the table,

Which motion prevailed.

House Bill No. 83,

A bill for an act amending section 2385 of the Revised Codes of 1905, relating to the term of eligibility of certain county officers.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 35, nays 61, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanson	Piper
Anderson, Bernt	Haugen	Plath
Anderson, O. P. N.	Hemmingsen	Purdon
Blake	Jensen	Rohs of Morton
Burgum	Johnson of Sargent	Steen
Church	Johnson of Ward	Streeter
Connolly	Martin of Morton	Syvertson
Cunningham	Mathews	Tofsrud
Duncan	Midgarden	Tufte
Gibbens	Moore	Ueland
Halaas	Nelson of Traill	White
Hankinson	Parkhill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Rose of Dickey
Anderson, Grand F'rks	Hallick	Schlenker
Andrus	Hanawalt	Shannafelt
Blegen	Hosford	Simpson
Brotnov	Johnson of Pembina	Sinclair
Burdick	Jones of Barnes	Sorley of Grand Forks
Buttz	Jones of Ransom	Sorlie of Trail
Carter	Law	Shirley
Casey	McDowall	Stavens
Chapman	Miller	Stevens
Crawford	Mockler	Storey
Dean	Monek	Swendseid
Dibley	Morin	Thoreson
Elhard	Murphy	Treat
Evans	Nelson of Steele	Wake
Flamer	Oveson	Walker
Freeman	Peake	Watts
Garden	Pugh	Wedge
Giedt	Putnam	Welford
Graham	Restemayer	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—

Brodie

Messrs.—

Ganssle

Messrs.—

Martin of Billings

Messrs. Brodie and Ganssle being excused.

Mr. Collins passed.

So the bill was lost.

GENERAL ORDERS.

Mr. O. P. N. Anderson

That the house resolve itself into a committee of the whole for the consideration of general orders,

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Watts to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 82,

A bill for an act to encourage elementary education and appropriate money therefor.

And recommend that the same be referred to the committee on appropriations.

Also,

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

And recommend that the same be amended as follows:

In line 9 of the printed bill after the word "board" insert the words "or boards;" and in line 11 of the printed bill after the word "board" insert the words "or boards;" and in line 13 of the printed bill after the word "number" that the words "or qualifications" be stricken out; also that all that portion of section 1 of the printed bill after the word "road" in line 30 be stricken out; and that an emergency clause be added as follows: "WHEREAS, An emergency exists inasmuch as there is no law in force whereby section lines may be opened without petition, this act shall take effect on and after its passage and approval."

Also,

By adding after the word "road," in line 30 of the printed bill, the following: "Provided, however, that when the road to be laid out deviates from

the section line, then it shall be opened upon petition and as now prescribed by law."

And when so amended recommend the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Sorley of Grand Forks moved

That the senate concurrent resolution relating to food and fuel famine be referred to the special committee,

Which motion prevailed.

Mr. O. P. N. Anderson moved

That the house concur in the senate concurrent resolution relating to the Wisconsin grain grading and inspection law,

Which motion prevailed, and.

The concurrent resolution was adopted.

On request of Mr. Duncan the privileges of the floor were extended to Messrs. Iverson and Fred Ely of Rugby.

On request of Mr. Ueland the privileges of the floor were extended to C. A. Searles and O. Taylor of La Moure county.

On Request of Mr. Brotnov the privileges of the floor were extended to Mr. H. L. Haussamen of Grafton, N. D.

Mr. Streeter moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
January 31, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Brodie, Brotnov, Flamer, Jensen. Parkhill and Syvertson, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890,

and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Respectfully

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31. 1907.

Mr. Speaker:

I have the honor to inform you that the senate has amended the house concurrent resolution for an adjournment by striking out the words "Tuesday. February 5." and inserting in lieu thereof the words "Thursday. February 7," in which amended resolution the senate has concurred.

Very respectfully,
J. W. FOLEY,
Secretary.

Mr. Stevens moved

That the house proceed to the Twelfth order of business.
Which motion prevailed.

Mr. Stevens moved

That the house concur in the senate amendment to the resolution relating to adjournment.

Mr. Tufte moved as a substitute

That the house do not concur in senate amendment.

And the substitute was lost.

The question being upon the original motion the same prevailed, and

The resolution as amended by the senate was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31, 1907.

Mr. Speaker:

I have the honor to return herewith the following concurrent resolution:

WHEREAS, In this state and in all other sections of our country, lumber and its products are a necessity for and are generally used by all classes of people; and

WHEREAS, The time has arrived when, under the principle and policy of "the greatest good to the greatest number," all duty on lumber and its products should be forthwith removed and the same be placed on the free list; now, therefore, it is hereby

Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring, That our United States senators and representatives in congress are hereby respectfully requested to use all honorable means within their power to have all duty on lumber and its products forthwith removed and to have the same placed as soon as possible on the free list.

Resolved, further, That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of our said representatives in congress.

For which the senate has substituted the following:

WHEREAS, It is currently reported, generally understood and manifestly apparent to everyone that there is a combination in restraint of trade between the dealers in coal and fuel, and the dealers in lumber, in the state of North Dakota and elsewhere; and

WHEREAS, Said combination is now resulting in material injury to the people of the state of North Dakota, is retarding the building and erection of homes and exacting from the people of the state of North Dakota unjust tribute to this unlawful combination; now, therefore, be it

Resolved by the Senate, the House of Representatives Concurring, That the senators and representatives from this state now in the congress of the United States are hereby requested to use their earnest endeavors and all honorable means to secure the repeal of the tariff on lumber and on coal and fuel now in existence between the United States and the provinces of Canada.

Resolved, further, That the secretary of state be, and hereby is, requested to forward to his excellency, President Theodore Roosevelt, and to the Hon. H. C. Hansbrough, Hon. Porter J. McCumber, Hon. Thos. F. Marshall and Hon. A. J. Gronna duly certified copies of these resolutions.

Which substitute resolution the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-third day have carefully examined the same and recommend that the same be corrected as follows:

On page 7, line 6, after the words "the highest" add the word "number."

On page 12, line 5, after the word "or" add the following: "premises to indulge in the use of cigarettes, cigars or tobacco."

On page 13, line 5, change "first" to "third."

On page 16, line 19, strike out "and."

Page 12, line 19, correct spelling of name "Buttz."

A. O. GRAHAM,
Chairman.

Mr. Stevens moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31. 1907.

Mr. Speaker:

I have the honor to return herewith the following concurrent resolution.

Be it Resolved by the House of Representatives, the Senate Concurring:

That a special committee of four members of the house and three of the senate be appointed for the purpose of considering all pending bills on reciprocal demurrage.

Which the senate has amended as follows:

By inserting after the word "senate" and after the word "house" as they appear in the resolution the words "rail-road committee."

And in which amended resolution the senate has concurred.

Very respectfully
J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 31, 1907.

Mr Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Be It Resolved by the Senate, the House of Representatives Concurring:

WHEREAS, The valley of the Red River of the North is by nature one of the best, if not the best, of the river valleys of the American continent, from an agricultural standpoint, but is at times, from a combination of conditions, so flooded both by the overflow of the Red river and its tributaries and by the run-off of the higher lands lying adjacent to and on both sides thereof, and the raising of crops adjacent to the river is to a certain extent uncertain and hazardous; and

WHEREAS, The people residing in the said valley are in the most urgent need of aid for the drainage of their lands in order that crop raising may be assured; and also of the regulation of the flow of the Red river for the purpose of insuring and improving its navigability and the prevention of overflow which results in great damage to life and property; and

WHEREAS, Numerous surveys and investigations of portions of this valley have been prosecuted in the past both in the United States and in Manitoba; and

WHEREAS, The officers of the United States agricultural department, in co-operation with the proper officers of the various states affected, are at the present time engaged in making a detailed study of the said valley in the United States, and the engineers of the public works department of Manitoba are also engaged in the study of the drainage conditions prevailing in the said valley in that province, all of which investigations and study are being carried on with the greatest possible speed consistent with careful study and the funds available; and

WHEREAS, There still remains much to be done before there can be a full and complete understanding of the situation; therefore, be it

Resolved, That liberal appropriations be made for the prosecution of these surveys by the departments of the government having the same in charge, to the end that the data required for the proper drainage of the Red River valley and the regulation of the flow of the Red river may be secured. Be it further

Resolved, That we earnestly and urgently request the government of Canada and the congress of the United States to secure the appointment of an international commission as early as possible for the purpose of making a thorough investigation of the Red river and its tributaries with a view of regulating the flood flow thereof so as to prevent its overflow in the times of flood and improve navigation in periods of low water. Be it further

Resolved, That the extensive drainage projects now being carried on throughout the valley, and which will materially affect the volume of water in said river in the flood period, make it imperative that the flow of this river be regulated as far as possible with a view to meeting the conditions created by these improvements. Be it further

Resolved, From estimates made by the government engineers and local engineers it is apparent that the waters of the Red river can be controlled by the construction of a canal connecting Lake Traverse with the Big Stone lake, thereby lowering the water level of said Lake Traverse and turning the flow from its basin into the Minnesota river in flood time; and

by the construction of a reservoir dam at Otter Tail lake; a reservoir dam at the foot of Red lake; a reservoir dam on the Sheyenne river at some feasible point, to retain the waters of its basin during flood periods; and a dam on the Pembina river, suitably located to control the floods of that stream which drains from a large area in Manitoba and North Dakota. By the construction of these dams and reservoirs the damage from overflow of the Red river would be averted and navigation materially improved in low stages of water. From investigations and estimates made by competent engineers, the proposed improvements can be constructed at a cost not to exceed five hundred thousand dollars. Be it further

Resolved, That the senators and representatives from the states of Minnesota, North and South Dakota be requested to use all earnest endeavors to have a joint commission appointed, and that an appropriation be made sufficient to defray the expenses thereof; and that the government of Canada be requested to co-operate in the appointment of such joint commission. Be it further

Resolved, That the legislative assembly of the states of Minnesota and South Dakota, the legislature of Manitoba, and the parliament of the Dominion of Canada be respectfully requested to consider these resolutions and to co-operate, through their representatives in their respective lawmaking bodies, in carrying out the object sought in these resolutions; and be it further

Resolved, That the secretary of state be instructed to forward certified copies of these resolutions, one each to the senators and representatives in congress of the three states named, the speaker of the legislature of Manitoba, the presiding officer of the Dominion parliament at Ottawa, Canada, and the secretary of war, Washington, D. C.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

REPORT OF STANDING COMMITTEES

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred

House Bill No. 161,

A bill for an act regulating the date of the meeting of the county commissioners.

Have had the same under consideration and recommend that the same be amended as follows:

That its title read: "A bill for an act to amend section 2392 of the Revised Codes of North Dakota for 1905."

And that the word "made" in line 2 of section 1 be changed to the word "amended."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

The committee on judiciary made the following report:
Mr Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 29,

A bill for an act to amend section 7252 of the Revised
Code of 1905, relating to examination of an adverse party.

Have had the same under consideration and recommend
that the same be amended as follows:

Strike out the word "the," being the last word in line 10 of the printed
bill, and substitute the word "that" in lieu thereof.

And when so amended recommend the same do pass.

J. A. SORLEY.

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 31,

A bill for an act to amend section 9885 of the Revised
Code of 1905 relating to arraignment.

Have had the same under consideration and recommend
that the same do pass.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on engrossment made the following re-
port:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 39,

A bill for an act to preserve the public health by regu-
lating and prohibiting the use or feeding of unwholesome
food products to live stock, poultry or animals used or kept
for consumption as a food, and by providing for the inspec-
tion and quarantine of all live stock, hogs, poultry and
other animals affected by any contagious or infectious dis-

ease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Also,

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Also,

House Bill No. 101,

A bill for an act requiring each county officer who receives from any county a stated salary for his services, to keep a record of the fees received by him, as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Also,

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Also,

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens offered the following resolution and moved its adoption:

WHEREAS, The legislative assembly is about to adjourn for several days; and

WHEREAS, It is usual and customary to appoint a committee to visit the public institutions of the state and report their condition and needs; therefore, be it

Resolved, That the speaker appoint a committee of three members with direction to visit all public institutions and report at an early date their condition and needs.

Mr. Midgarden moved as an amendment that three committees of three members each be appointed.

Which motion prevailed.

Mr. Murphy offered the following resolution and moved its adoption:

Be It Resolved by the House of Representatives of North Dakota:

That the courteous and co-operative expression of this body be extended to the legislative assembly of the state of Minnesota, as follows:

That their efforts be concentrated toward relieving the car shortage at the coal shipping terminals in that state, thus enabling the coal dealers in this state to get a supply of coal in their yards.

Second. To use their efforts to have the coal now in cars to be moved to their destinations that these cars may be unloaded and returned for reloading. Be it further

Resolved, That while the state of North Dakota has been able to prevent any great amount of suffering in the state through the natural coal deposits, a gift from the great Creator, great inconvenience has been occasioned by the inability to get the eastern coals, bituminous and soft; and be it

Resolved, That this body recommend a concurrence of thanks to the Minnesota legislative assembly for the consideration of this resolution.

Which motion prevailed, and

The resolution was adopted.

The speaker administered the oath of office to J. I. Roop. also to C. A. McCann.

Mr. Stevens moved

That the house take a recess for ten minutes.

Which motion prevailed, and

The house took a recess.

AFTER RECESS.

The speaker announced the following as members of the committees to visit the state institutions: Messrs. Chapman and Streeter to Dickinson, Mandan and Bismarck. Messrs. Peake, Jones and Putnam to Jamestown, Valley City. Messrs. Peake and Jones to Fargo. Messrs. Blake and Jones of Wahpeton. Mr. Blake of Ellendale. Mr. Jones to Edgeley and Lisbon. Messrs. Burgum, Hannawalt to Mayville, Grand Forks and Grafton.

On request of Mr. Peake the privileges of the floor were extended to Messrs. Casper Winkler. A. Y. Zuger and H. Olsburg.

On request of Mr. Duncan the privileges of the floor were extended to Messrs. Lindahl, Grondahl and Foss of Mad-dock, and W. H. Thomas of Leeds.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 7, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Mr. Ueland moved

That the rules be suspended and that the roll call be dispensed with.

Which motion prevailed, and

The roll call was dispensed with.

Mr. Ueland moved

That the rules be suspended and that the house proceed to the Ninth order of business.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING
OF HOUSE BILLS.

Mr. Haugen introduced

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Haugen introduced

House Bill No. 191,

A bill for an act to amend section 9371 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Sorley of Grand Forks introduced

House Bill No. 192,

A bill for an act to amend sections 10381 and 10382 of the Revised Codes of 1905, relating to the establishment and regulation of twine and cordage plant.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Sorley of Grand Forks, by request, introduced

House Bill No. 193,

A bill for an act creating the office of state fire marshal: and providing for the appointment of state fire marshal: term: oath: bond: removal: deputy and his duties: vacancies: duties of marshal in connection with other officers to investigate fires: notification of fire to marshal: record of fires: testimony under oath: arrest of suspected persons: deputy to summon and enforce attendance of witnesses: false swearing: contempt: power to enter buildings: investigation may be in private: right of marshal and other officers upon complaint to enter buildings for purposes of investigation: may order removal of inflammable or explosive material: penalty for noncompliance: sheriff or constable or witnesses, how paid: state fire marshal authorized to employ stenographer, salary of, office help, salary of: state fire marshal to be state chief of fire departments: duty of commissioner of insurance, governor and auditor: withholding funds: penalty for neglect of official duty: salaries of marshal and deputy: tax and insurance companies to defray expenses of department: itemized statement of expenses: annual report: marshal not to engage in mercantile business: compensation of various officers for reporting fires.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Sorley of Grand Forks, by request, introduced
House Bill No. 194,

A bill for an act to provide for the better protection of life and property, by establishing a board of inspectors to inspect steam vessels and steam boilers, and provide for the licensing of engineers of steam engines, and masters and pilots of steamboats, on the inland waters of the state of North Dakota.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Haugen introduced
House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Chapman, by request, introduced
House Bill No. 196,

A bill for an act entitled, An act concerning public highway improvements, creating a state highway commission, defining its duties and certain powers and duties of the state engineer in connection therewith, and making an appropriation therefor.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Sorley of Grand Forks, by request, introduced
House Bill No. 197,

A bill for an act entitled, "An act providing for the surrender and novation of contracts of purchase of state or school lands of deceased persons."

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Chapman, by request, introduced
House Bill No. 198,

A bill for an act to amend section 777 of the Revised
Codes of 1905, relating to education.

Which was read the first and second times and
Referred to the committee on education.

Mr. Nelson of Traill, introduced
House Bill No. 199,

A bill for an act to amend section 9366 of the Revised
Code of 1905, same being section 7598 of the Revised Code
of 1899, defining what shall be considered and held to be
intoxicating liquors.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Shirley introduced
House bill No. 200,

A bill for an act providing for the levy and collection of
road taxes in incorporated villages.

Which was read the first and second times and
Referred to the committee on municipal corporations.

Mr. Stavens introduced
House Bill No. 201,

A bill for an act to amend section 8022 of the Revised
Codes of 1905, relating to letters of administration, and
who entitled to same.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Anderson of Grand Forks introduced
House Bill No. 202,

A bill for an act to provide for a commission on higher
education and defining the duties of the same.

Which was read the first and second times and
Referred to the committee on education.

Mr. Anderson of Grand Forks introduced
House Bill No. 203,

A bill for an act to amend section 4516 of the Revised
Codes of 1905, relating to corporations.

Which was read the first and second times and
Referred to the committee on corporations other than mu-
nicipal.

Mr. Anderson of Grand Forks introduced
House Bill No. 204,

A bill for an act to prohibit sales of merchandise in fraud
of creditors.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Sinclair introduced
House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the
North Dakota Revised Code of 1905, and sections 1, 2, 3,
and 4 of chapter 76 of the Session Laws of 1905, being sec-
tions 1910, 1911 and 1912 of the Revised Code of North
Dakota of 1905, and further to provide for the admission
to the state hospital for the insane of residents of other
states or territories and the payment for such care and
treatment, and to provide for the payment by the proper
county or the state at large for the care and treatment of all
inmates of such state hospital for the insane, and to deter-
mine the legal residence of all such patients, and to provide
for reimbursing of the county from the estate of the patient
for such care and treatment.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Buttz introduced
House Bill No. 206,

A bill for an act to provide for the payment of the neces-
sary traveling expenses of district judges.

Which was read the first and second time, and
Referred to the committee on judiciary.

There being no objection the house proceeded to the
Thirteenth order of business

And

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time
of the arrival of passenger trains.

Was read the first and second time, and
Referred to the committee on railroads.

Also,

Senate Bill No. 81,

A bill for an act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitroglycerine, dynamite, gunpowder or any other high explosive, and providing a penalty therefor.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Was read the first and second time, and

Referred to the committee on state affairs.

On the request of Mr. Nelson of Traill the privileges of the floor were extended to Mr. C. O. Nelson of Wiprud, N. D.

Mr. Ueland moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,

Chief Clerk.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,

February 8, 1907.

The house assembled at 2 o'clock p.-m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Brodie, Burdick, Carter, Crawford, Dibley, Flamer, Ganssle, Giedt, Graham, Griffith, Hanawalt, Hanson, Haugen, Johnson of Pembina, Mathews, McDowall, Miller, Monek, Parkhill, Pugh, Shannafelt, Syvertson, Walker, Watts, Wedge, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

MADDOCK, NORTH DAKOTA,

January 28, 1907.

To the Honorable Members of the State Legislature of North Dakota:

We, the undersigned members of Maddock Commercial Club, and citizens of this community, do hereby petition to your honorable body to enact legislation to afford relief of the present condition, and also to prevent a repetition of the same, existing as follows:

The fuel supply entirely exhausted: The food supply sufficient only for a few days. Imminent danger of sickness,

suffering and death. No freight during the last thirty days. No mails during the last two weeks. The evidence is that the Northern Pacific railway system has only one rotary snow plow for about five hundred miles of road, and that one disabled. We recommend that a law be enacted to compel the railway company to provide sufficient equipment to remedy the existing state of affairs.

A. A. LINDAHL, Chairman,
AND EIGHTY SIX OTHERS.

Mr. Sorley moved

That the petition be referred to the committee on railroads.

Which motion prevailed.

SPECIAL COMMITTEE REPORT.

Mr. Speaker:

Your committee on house employees offers the following resolution and moves its adoption:

Resolved, That in the judgment of the house it is deemed necessary for the proper transaction of business that one additional page, one stenographer and one assistant postmaster and one committee clerk be appointed; therefore the speaker is hereby authorized and directed to appoint the same and to be assigned as directed by him.

Mr. Sorlie of Traill moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

UNFINISHED BUSINESS.

Mr. Sorley of Grand Forks moved

That the house concur in the senate substitute concurrent resolution relating to duty on lumber.

Which motion prevailed, and

The senate substitute was adopted.

Mr. Burgum moved

That the house concur in senate amendment relating to reciprocal demurrage.

Mr. Ueland moved as a substitute

That the further consideration of the resolution be deferred until tomorrow.

Which motion prevailed.

Mr. Blake moved

That the senate concurrent resolution relating to drainage be referred to the committee on drainage.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Midgarden introduced

House Bill No. 207.

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Stevens introduced

House Bill No. 208,

A bill for an act entitled, an Act to amend section 1933, of the Revised Codes of 1905, relating to when stock may run at large.

Which was read the first and second times and

Referred to the committee on agriculture.

Mr. Freeman introduced

House Bill No. 209,

A bill for an act relating to appeals from justices' courts in civil actions.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Collins introduced

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Which was read the first and second times and

Referred to the committee on labor.

Mr. Burgum introduced

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Thoreson introduced

House Bill No. 212,

A bill for an act to amend section 4337 of the Revised Codes of North Dakota, relating to distribution of cars.

Which was read the first and second times and
Referred to the committee on railroads.

Mr. Johnson of Ward introduced

House Bill No. 213,

A bill for an act to amend section 8316, Revised Codes of 1905, relating to the salary of county judges in counties having increased jurisdiction.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Moore introduced

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. Anderson of Grand Forks introduced

House Bill No. 215,

A bill for an act to provide for the lighting of the executive mansion with electricity to be furnished by the electric light plant at the capitol.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Anderson of Grand Forks introduced

House Bill No. 216,

A bill for an act to prohibit corrupt practices, and to provide for the publication of the names of all persons contributing articles for publication.

Which was read the first and second times and
Referred to the committee on elections and privileges.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Freeman to the chair.

When the committee arose it submitted the following report:

Mr Speaker:

The committee of the whole have had under consideration House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

And recommend that the same do pass.

Also,

House Bill No. 2,

A bill for an act for the election of United States Senators by popular vote.

And recommend that the bill be referred to the committee on privileges and election with the request that the questions of the selection of United States senators be provided for in the primary election laws.

Also,

House Bill No. 121,

A bill for an act defining burglary with explosives, and prescribing a penalty therefor.

And recommend that the same be amended as follows:

Add to the title the words "and prescribing a penalty therefor;" and in line 3 strike out the words "when there is a human being."

And when so amended recommend the same do pass.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

And recommend that the same be amended as follows:

In lines 20 and 23 strike out the word "satisfaction" where it so appears and substitute in lieu thereof the words "a certificate of discharge."

In line 23, after the word "be," add the word "so."

Strike out all of lines 27 and 28.

In line 15 of printed bill strike out the word "must" and insert the word "may."

In line 6 the words "at the expense of the owner of the" be stricken out and in line 7 the word "property" be stricken out.

In line 17 of printed bill strike out the word "or" and insert the word "of."

And when so amended recommend the same do pass.

Also,

House Bill No. 136,

A bill for an act to repeal section 2282 of the Revised Codes of North Dakota, for 1905, being chapter 125 of the Session Laws of the State of North Dakota for the year 1899, relating to public printing.

And recommend that the same do pass.

Also,

House Bill No. 164,

A bill for an act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

And recommend that the bill be re-referred to the committee on live stock.

WILL FREEMAN,

Chairman.

Mr. Freeman moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The speaker announced the following appointees under the resolution adopted today:

Stenographer, Mrs. E. E. Smith.

Page, H. Schecker.

Assistant postmaster, C. Irons.

Committee clerk, Mrs. I. M. Wilson.

Janitor, M. A. Edbery.

And the speaker administered the oath of office to the same.

On request of Mr. Tofsrud the privileges of the floor were extended to W. D. McClintock of Rugby.

On request of Mr. Martin of Billings, the privileges of the floor were extended to J. C. Giles of Billings county.

On request of Mr. Jones of Ransom, the privileges of the floor were extended to Col. John W. Carroll, T. J. Dwire, and Mr. Jack of Ransom county.

Mr. Shirley moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 9, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Burdick, Carter, Griffith, Haugen, Johnson of Sargent, Mathews, McDowall, Miller and Pugh, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the twenty-fourth day have carefully examined the same and find it correct.

Also,

Mr Speaker:

Your committee on revision and correction of the journal of the thirty-first day have carefully examined the same and find it correct.

Also,

Your committee on revision and correction of the journal of the thirty-second day have carefully examined the same and recommend that the same be corrected as follows:

On page 5, line 23, after the word "senators" insert word "be."

On page 6, line 8 from bottom of page, after the name "Mrs. I. M. Wilson" insert "committee clerk."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 81,

A bill for an act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitroglycerine, dynamite gunpowder or any other high explosive, and providing a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the enacting clause and substitute in lieu thereof the following:

"SECTION 1. Waiver of Demurrer.] In all cases, civil or criminal, in which any or either party shall demur to any indictment, information, complaint, answer, or other pleading of the adverse party, and said demurrer shall be overruled, the party demurring shall be given the right to plead over, by traverse or otherwise, without waiving his said demurrer; and upon appeal shall have the right to insist upon his demurrer and have the benefit thereof as fully as if he had not pleaded over.

"SEC. 2. Whereas there is no law now in existence covering waiver of demurrer, an emergency is deemed to exist; therefore, this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 139,

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and county officials who have been guilty of malfeasance or nonfeasance in the performance of their official duties, or who is guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

Have had the same under consideration and recommend that the same be amended as follows:

1. By striking out all the title of the act after the word "suspend" in the second line and inserting in lieu thereof the following: "Any county officer for misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness, or gross incompetency and for providing for the filling of vacancies caused by such suspension or removal."

2. By striking out the words "railroad commissioner" in the second line of section 1.

3. By striking out the last four lines in section 1 and inserting in lieu thereof the following: "Misconduct, malfeasance, crime or misdemeanor in office, or who is guilty of habitual drunkenness or gross incompetency; first giving to such officer a copy of the charges against him and an opportunity to be heard in his defense."

4. By striking out all of section 5 after the word "state" in line 13 of the bill.

5. By striking out all of section 6 and inserting in lieu thereof the following:

"SEC. 6. Charges To Be Made in Writing.] Charges against officer shall be made by the public examiner. Charges shall be reduced to writing and shall be duly verified. The governor shall furnish a copy thereof to the person against whom said charges are made."

6. That section 7 be amended by adding to the end of said section the following: "Such notice must be given within ten days after their appointment."

7. That said bill be further amended by striking out section 13 and changing section 14 to section 13.

8. After the word "herein" in line 4 of section 7 add the following: "Provided the testimony shall be taken in the county wherein the accused resides."

And when so amended recommend the same do pass.

J. A. SORLEY.

Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 100,

A bill for an act to amend section 1313 of the Revised Codes of 1905 of the state of North Dakota, relating to county fairs.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 156,

A bill for an act repealing chapter 83 of the laws enacted in the year 1901, being sections 84 and 85 of the Revised Codes of 1905, relating to making contracts for engrossing and enrolling bills.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 3,

A bill for an act to amend section 6710 of the Civil Code of the Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign concurrent resolution relating to the Wisconsin grain grading and inspection.

And the speaker signed the same in the presence of the house.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 136,

A bill for an act to repeal section 2282 of the Revised Codes of North Dakota, for 1905, being chapter 125 of the Session Laws of the State of North Dakota for the year 1899, relating to public printing.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

Also,

House Bill No. 121,

A bill for an act defining burglary with explosives, and prescribing a penalty therefor.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. O. P. N. Anderson offered the following

CONCURRENT RESOLUTION.

Be It Resolved by the House of Representatives, the Senate Concurring:

That a joint committee, consisting of three members of the house, of which the speaker shall be one, and two members of the senate, of which the lieutenant governor shall be a member, be appointed to arrange suitable services under the auspices of the Tenth legislative assembly in honor of the anniversary of the birth of Abraham Lincoln.

Mr. Sorley of Grand Forks moved the adoption of the concurrent resolution.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Ueland moved

That the house do concur in senate amendment to concurrent resolution relating to reciprocal demurrage.

Which motion prevailed, and

The amendment was adopted.

Mr. Chapman offered the following concurrent resolution and moved its adoption.

CONCURRENT RESOLUTION.

WHEREAS, The honorable chairman of the rivers and harbors committee of the house of representatives is laboring under misapprehension or ill advice as to the volume of water therein, and the value of the Upper Missouri and Yellowstone rivers for navigation purposes; and

WHEREAS, The volume of traffic on both of the navigable streams north

of the 46th parallel will continue to increase with the now rapidly increasing immigration and the wonderful development of the country tributary to said rivers, incident to the completion of the irrigation ditches along said rivers, now under construction by the United States; now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring, That our senators and representatives are respectfully urged to secure proper recognition at the hands of congress and to have proper surveys made and adequate appropriations provided for the immediate snagging of the Upper Missouri and Yellowstone rivers, the dredging of shoal places, the removal of rocks from the channel, and the protection of the landing at the several important places, particularly at Rock Haven, Washburn, Mannhaven, Expansion, Bismarck, Williston, Buford and Glendive.

Resolved, That a copy of these resolutions when passed be sent by the chief clerk of the house of representatives, to Hon. T. E. Burton, the chairman of the rivers and harbors committee of the house of representatives and to each of our senators and representatives in congress.

Which motion prevailed, and

The concurrent resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 9, 1907.

Mr. Speaker:

I have the honor to transmit

Senate Bill No. 10,

A bill for an act requiring railroad companies to report all wrecks and casualties wherein any person is injured or killed, to the railroad commissioners.

Also,

Senate Bill No. 24,

A bill for an act to amend section 1016 of the Revised Codes of 1905, relating to report by city treasurer of receipts and disbursements of moneys of independent school districts.

Also,

Senate Bill No. 94,

A bill for an act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Also,

Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Also,

Senate Bill No. 134,

A bill for an act establishing and naming a state flower for the state of North Dakota.

Also,

Senate Bill No. 137,

A bill for an act relating to unauthorized wearing or use of badges, name, title of officers, insignia, ritual or ceremonies of certain orders and societies.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

Very Respectfully,

J. W. FOLEY,

Secretary.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Thoreson introduced

House Bill No. 217,

A bill for an act granting to threshermen the right to cross the lands of private owners to avoid narrow grades, defective bridges, creek bottoms and rivers in moving from one farm to another.

Which was read the first and second times and

Referred to the committee on highways and bridges.

Mr. Bernt Anderson introduced

House Bill No. 218,

A bill for an act to amend section 3111 of the Revised Codes of North Dakota, 1905, relating to terms of office of township officers.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Dibley introduced

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Code of 1905.

Which was read the first and second times and

Referred to the committee on Highways and bridges.

Mr. Ueland introduced

House Bill No. 220,

A bill for an act amending sections 5 and 6 of the irrigation code of this state, approved March 1, 1905, and making the state engineer ex officio coal mine inspector of the state.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Anderson of Grand Forks introduced

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

Which was read the first and second time, and

Referred to the committee on appropriations.

Mr. White introduced

House Bill No. 222,

A bill for an act to amend section 9328 of the Revised Codes of North Dakota for 1905, relating to malicious injury to freehold.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Aaker, by request, introduced

House Bill No. 223,

A bill for an act to amend section 1539 of the Revised Code of the state of North Dakota for 1905, relative to the levy, collections and expenditure of road tax.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Stevens introduced

House Bill No. 224,

A bill for an act to repeal article 1 of chapter 30 of the

Code of Civil Procedure relating to the foreclosure of mortgages by advertisement.

Which was read the first and second times and
Referred to the committee on judiciary.

The committee on live stock introduced
House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Which was read the first and second times, and
Referred to the committee of the whole.

Mr. Blegen, by request, introduced
House Bill No. 226,

A bill for an act to amend sections 1933, 1934, 1935, 1936, and 1937 of the Revised Code of the state of North Dakota, relating to stock running at large.

Which was read the first and second times and
Referred to the committee on agriculture.

Mr. White introduced
House Bill No. 227,

A bill for an act to amend section 2441 Revised Codes of 1905, relating to designation of county depositories.

Which was read the first and second times and
Referred to the committee on state affairs.

THIRD READING OF HOUSE BILLS.

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays, 2, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt

Messrs.—

Grant
Halaas
Hallick

Messrs.—

Putnam
Restemayer
Rohs of Morton

Messrs.—

Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burgum
Buttz
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Graham

Messrs.—

Hanawalt
Hankinson
Hemmingsen
Hosford
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Martin of Morton
Martin of Billings
Midgarden
Mockler
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Piper
Plath
Purdon

Messrs.—

Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Brodie
Burdick
Carter
Crawford
Elhard
Giedt

Messrs.—

Griffith
Hanson
Haugen
Johnson of Pembina
Law
Mathews
McDowall

Messrs.—

Miller
Monek
Pugh
Schlenker
Stevens
Wedge

Messrs. Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Messrs. Parkhill, Ueland voting in the negative.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 52 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 9, 1907.

I have the honor to inform you that the senate has concurred in the house concurrent resolution relating to the ob-

servance of Lincoln's birthday, and the senate committee will consist of the Lieutenant Governor and Mr. Little.

Very respectfully,

J. W. FOLEY,
Secretary.

The speaker called Mr. Sorley of Grand Forks to the chair.

The speaker in the chair.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 9, 1907.

Mr. Speaker:

I have the honor to transmit herewith

House bill No. 10,

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.

Which the senate has indefinitely postponed.

Also,

Senate Bill No. 100,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

THIRD READING OF HOUSE BILLS.

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 1, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Rohs of Morton
Anderson, Grand F'rks	Hanawalt	Rose of Dickey
Anderson, Bernt	Hankinson	Schlenker
Anderson, O. P. N.	Hemmingsen	Shannafelt
Andrus	Hosford	Simpson
Blegen	Jensen	Sinclair
Brotnov	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Traill
Buttz	Jones of Barnes	Shirley
Casey	Jones of Ransom	Stavens
Chapman	Law	Steen
Church	Martin of Morton	Stevens
Collins	Martin of Billings	Storey
Connolly	Midgarden	Streeter
Cunningham	Mockler	Swendseid
Dean	Moore	Syvertson
Dibley	Morin	Thoreson
Duncan	Murphy	Tofsrud
Elhard	Nelson of Steele	Treat
Evans	Nelson of Traill	Tufte
Flamer	Oveson	Ueland
Freeman	Parkhill	Wake
Ganssle	Peake	Walker
Garden	Piper	Watts
Gibbens	Plath	Welford
Graham	Purdon	White
Grant	Putnam	Mr. Speaker
Halaas	Restemayer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	McDowall
Brodie	Hanson	Miller
Burdick	Haugen	Monek
Carter	Johnson of Pembina	Pugh
Crawford	Mathews	Wedge
Giedt		

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Mr. Blake voting in the negative.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which House Bill No. 90 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Moore moved

That House Bill No. 120 be referred back to the committee on temperance.

Which motion prevailed.

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 5, absent and not voting 23, excused 1, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Mr. Speaker	Purdon
Anderson, Grand F'rks	Graham	Putnam
Anderson, Bernt	Grant	Restemayer
Anderson, O. P. N.	Halaas	Rose of Dickey
Andrus	Hallick	Schlenker
Blake	Hankinson	Shannafelt
Blegen	Hemmingsen	Sinclair
Brotnov	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Casey	Johnson of Sargent	Shirley
Chapman	Johnson of Ward	Stayens
Church	Jones of Barnes	Steen
Collins	Jones of Ransom	Storey
Connolly	Law	Swendseid
Cunningham	Midgarden	Syverson
Dean	Moore	Tofsrud
Dibley	Murphy	Treat
Duncan	Nelson of Steele	Tufte
Elhard	Nelson of Traill	Ueland
Flamer	Oveson	Wake
Freeman	Peake	Walker
Ganssle	Piper	Welford
Garden	Plath	White
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Martin of Morton	Rohs of Morton	Streeter
Mockler	Simpson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Wedge	Monek
Brodie	Griffith	Morin
Burdick	Hanson	Parkhill
Buttz	Haugen	Pugh
Carter	Johnson of Pembina	Stevens
Crawford	Mathews	Thoreson
Evans	McDowall	Watts
Giedt	Miller	

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Mr. Hannawalt passed.

Mr. Martin of Billings excused.

Mr. Streeter explained his vote.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 63 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 138,

A bill for an act to amend section 850 of the Revised Codes of 1905 of the State of North Dakota, concerning report of treasurers of school districts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 53, nays 26, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Piper
Anderson, Bernt	Hallick	Plath
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Putnam
Blegen	Hemmingsen	Restemayer
Brotnov	Hosford	Shannafelt
Burgum	Jensen	Sinclair
Casey	Johnson of Sargent	Sorley of Grand Forks
Church	Law	Sorlie of Traill
Cunningham	Martin of Morton	Stavens
Dean	Midgarden	Treat
Dibley	Moore	Tufte
Duncan	Murphy	Wake
Evans	Nelson of Steele	Walker
Flamer	Nelson of Traill	Welford
Freeman	Oveson	White
Garden	Parkhill	Mr. Speaker
Grant	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Jones of Ransom	Stevens
Buttz	Martin of Billings	Storey
Chapman	Mockler	Streeter
Collins	Morin	Swendseid
Elhard	Rohs of Morton	Syverson
Ganssle	Rose of Dickey	Tofsrud
Gibbens	Simpson	Ueland
Graham	Shirley	Watts
Johnson of Ward	Steen	

Absent and not voting:

Messrs.—

Adams
Anderson, Grand F'rks
Brodie
Burdick
Carter
Connolly
Crawford

Messrs.—

Giedt
Griffith
Hanson
Haugen
Johnson of Pembina
Jones of Barnes
Mathews

Messrs.—

McDowall
Miller
Monek
Pugh
Schlenker
Thoreson
Wedge

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 138 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 11,

A bill for an act to amend section 1478 of the revised codes of 1895, being section 1854 of the revised codes of 1905 relating to residence of the poor.

Was read the third time.

Mr. Stevens asked unanimous consent to offer an amendment.

There being no objection,

Mr. Stevens offered the following amendment and moved its adoption.

In section 1 of printed bill strike out the following "section 1478 of the Revised Codes of 1895."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hemmingsen
Hosford
Jensen
Johnson of Sargent

Messrs.—

Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill

Messrs.—	Messrs.—	Messrs.—
Burgum	Johnson of Ward	Shirley
Buttz	Jones of Ransom	Stavens
Casey	Law	Steen
Church	Martin of Morton	Stevens
Collins	Martin of Billings	Storey
Connolly	Midgarden	Streeter
Cunningham	Mockler	Swendseid
Dean	Moore	Syvertson
Dibley	Morin	Tofsrud
Duncan	Murphy	Treat
Elhard	Nelson of Steele	Tufte
Evans	Nelson of Traill	Ueland
Flamer	Oveson	Wake
Freeman	Parkhill	Walker
Ganssle	Peake	Watts
Garden	Piper	Welford
Gibbens	Plath	White
Graham	Putnam	Mr. Speaker
Grant	Restemayer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Miller
Brotnov	Hanson	Monek
Burdick	Haugen	Pugh
Carter	Johnson of Pembina	Purdon
Chapman	Jones of Barnes	Thoreson
Crawford	Mathews	Wedge
Giedt	McDowall	

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Mr. Stevens moved

That the title of the bill be amended as follows: by striking out of the title the words "section 1478 of the Revised Codes of 1895 being."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 11 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 152,

A bill for an act entitled an act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the First judicial district.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 1, absent and not voting 20, excused 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Restemayer
Anderson, Grand F'rks	Halaas	Rohs of Morton
Anderson, O. P. N.	Hallick	Rose of Dickey
Andrus	Hanawalt	Schlenker
Blake	Hankinson	Shannafelt
Blegen	Hemmingsen	Simpson
Brodie	Hosford	Sinclair
Brotnov	Jensen	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Shirley
Casey	Jones of Barnes	Stavens
Chapman	Law	Stevens
Church	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Connolly	Midgarden	Swendseid
Cunningham	Mockler	Syvertson
Dean	Moore	Thoreson
Dibley	Morin	Tofsrud
Duncan	Nelson of Steele	Treat
Elhard	Nelson of Traill	Tufte
Evans	Oveson	Ueland
Freeman	Packhill	Wake
Ganssle	Piper	Watts
Garden	Plath	Welford
Gibbens	Purdon	White
Graham	Putnam	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanson	Monek
Burdick	Haugen	Murphy
Carter	Johnson of Pembina	Peake
Crawford	Jones of Ransom	Pugh
Flamer	Mathews	Steen
Giedt	McDowall	Wedge
Griffith	Miller	

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Mr. Walker excused.

Mr. Anderson, Bernt, voting in the negative.

So the bill passed and the title was agreed to.

Mr. Shirley moved

That the vote by which House Bill No. 152 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 81, nays 2, absent and not voting 16, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Restemayer
Anderson, Grand F'rks	Halaas	Rohs of Morton
Anderson, Bernt	Hallick	Rose of Dickey
Anderson, O. P. N.	Hanawalt	Schlenker
Andrus	Hankinson	Shannafelt
Blake	Hemmingsen	Simpson
Blegen	Hosford	Sinclair
Brodie	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Sargent	Sorlie of Traill
Burgum	Johnson of Ward	Shirley
Buttz	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Church	Martin of Morton	Stevens
Collins	Martin of Billings	Storey
Connolly	Midgarden	Streeter
Cunningham	Moore	Swendseid
Dean	Morin	Syverson
Dibley	Murphy	Thoreson
Duncan	Nelson of Steele	Tofsrud
Elhard	Nelson of Traill	Treat
Evans	Oveson	Tufte
Flamer	Parkhill	Ueland
Freeman	Peake	Wake
Ganssle	Piper	Watts
Garden	Plath	Welford
Purdon	Mr. Speaker	White
Putnam	Gibbens	

Graham

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanson	McDowall
Burdick	Haugen	Miller
Carter	Johnson of Pembina	Monek
Crawford	Law	Pugh
Giedt	Mathews	Wedge
Griffith		

Messrs Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

Mr. Chapman passed.

Messrs. Mockler and Walker voting in the negative.

So the bill passed and the title was agreed to.

Mr. Hemmingsen moved

That the vote by which House Bill No. 92 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 57, nays 23, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Piper
Anderson, Grand F'rks	Graham	Plath
Anderson, Bernt	Grant	Pugh
Anderson, O. P. N.	Halaas	Restemayer
Andrus	Hallick	Rose of Dickey
Blake	Hemmingsen	Sinclair
Blegen	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Casey	Johnson of Sargent	Shirley
Chapman	Johnson of Ward	Stavens
Church	Jones of Barnes	Stevens
Collins	Jones of Ransom	Swendseid
Cunningham	Martin of Billings	Syvertson
Dean	Midgarden	Treat
Dibley	Mockler	Tufte
Duncan	Moore	Ueland
Elhard	Nelson of Steele	Wake
Freeman	Nelson of Traill	White
Garden	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Morin	Steen
Buttz	Parkhill	Storey
Connolly	Purdon	Streeter
Evans	Putnam	Thoreson
Flamer	Rohs of Morton	Walker
Ganssle	Schlenker	Watts
Hanawalt	Shannafelt	Welford
Hankinson	Simpson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanson	Miller
Brotnov	Haugen	Monek
Burdick	Johnson of Pembina	Murphy
Carter	Law	Peake
Crawford	Martin of Morton	Tofsrud
Giedt	Mathews	Wedge
Griffith	McDowall	

Messrs. Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 144 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Restemayer
Anderson, Grand F'rks	Grant	Rohs of Morton
Anderson, Bernt	Halaas	Rose of Dickey
Anderson, O. P. N.	Hallick	Schlenker
Andrus	Hanawalt	Shannafelt
Blake	Hankinson	Simpson
Blegen	Hemmingsen	Sinclair
Brodie	Hosford	Sorley of Grand Forks
Brotnov	Jensen	Sorlie of Traill
Burgum	Johnson of Sargent	Shirley
Buttz	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Martin of Morton	Stevens
Church	Martin of Billings	Storey
Collins	Midgarden	Streeter
Connolly	Mockler	Swendseid
Cunningham	Moore	Syverson
Dean	Morin	Thoreson
Dibley	Murphy	Tofsrud
Duncan	Nelson of Steele	Treat

Messrs.—

Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Nelson of Traill
Parkhill
Peake
Piper
Plath
Purdon
Putnam

Messrs.—

Tufte
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Burdick
Carter
Crawford
Giedt
Griffith
Hanson

Messrs.—

Haugen
Johnson of Pembina
Jones of Ransom
Law
Mathews
McDowall

Messrs.—

Miller
Monek
Oveson
Pugh
Ueland
Wedge

Messrs. Burdick, Carter, Griffith, Haugen, Johnson of Pembina, Mathews, McDowall, Miller and Pugh being excused.

So the bill passed and the title was agreed to.

Mr. Treat moved

That the vote by which House Bill No. 162 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker announced the special committee on demurrage as follows: Messrs. White, Burgum, Murphy and Cunningham.

On the observance of Lincoln's birthday, Messrs. O. P. N. Anderson, Garden and the Speaker.

Mr. Burgum moved

That the house do now take a recess until 10 o'clock a. m. Monday.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. Monday.

P. D. NORTON,
Chief Clerk.

THIRTY-THIRD DAY--AFTER RECESS

AND

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 11, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

Mr. Stevens moved that the house take a recess of 20 minutes.

Which motion prevailed, and

The house took a recess.

AFTER RECESS.

THIRD READING OF HOUSE BILLS.

Mr. Grant moved

That House Bill No. 101 be referred back to the committee on ways and means.

Which motion prevailed, and

The bill was so referred.

House Bill No. 39,

A bill for an act to preserve the public health by regulating and prohibiting the use or feeding of unwholesome food products to live stock, poultry or animals used or kept for consumption as a food, and by providing for the inspection and quarantine of all live stock, hogs, poultry and other animals affected by any contagious or infectious disease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Was read the third time.

Mr. Anderson of Grand Forks asked unanimous consent to offer an amendment.

There being no objection Mr. Anderson offered the following amendment and moved its adoption:

In line 3 of section 4 of the printed bill, after the word "animals" strike out the word "to" and insert in lieu thereof the words "shall immediately."

Which motion prevailed, and

The amendment was adopted.

Mr. Rose asked unanimous consent to offer an amendment.

There being no objection Mr. Rose offered the following amendment and moved its adoption:

"Strike out section 6 of printed bill."

Which motion prevailed and

The amendment was adopted.

Mr. Sorley of Grand Forks asked unanimous consent to offer an amendment.

There being no objection Mr. Sorley offered the following amendment and moved its adoption:

In section 1, line 2, of printed bill, strike out the words "hogs, poultry" and add after the word "animals" in the same line the words "except hogs and poultry."

Which motion prevailed.

Mr. Stevens moved

That the further consideration of the bill be referred back to the committee on public health.

Which motion prevailed, and

The bill was so referred.

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 52, nays 29, absent and not voting 18, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Casey
Church
Collins
Connolly

Messrs.—

Griffith
Hallick
Hanawalt
Hemmingsen
Johnson of Pembina
Johnson of Sargent
Law
Martin of Morton
Mathews
Miller

Messrs.—

Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey

Messrs.—

Dean
Dibley
Flamer
Freeman
Ganssle
Gibbens
Graham
Grant

Messrs.—

Monek
Morin
Nelson of Trail
Oveson
Parkhill
Peake
Purdon

Messrs.—

Streeter
Swendseid
Syvertson
Tofsrud
Treat
Tufte
White

Those who voted in the negative were:

Messrs.—

Brotnov
Burgum
Carter
Chapman
Crawford
Cunningham
Halaas
Hankinson
Haugen
Hosford

Messrs.—

Jensen
Johnson of Ward
Jones of Barnes
McDowall
Midgarden
Mockler
Moore
Piper
Plath
Pugh

Messrs.—

Schlenker
Shannafelt
Sorley of Grand Forks
Thoreson
Ueland
Walker
Watts
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Brodie
Burdick
Buttz
Duncan
Elhard

Messrs.—

Evans
Garden
Giedt
Hanson
Jones of Ransom
Martin of Billings

Messrs.—

Murphy
Nelson of Steele
Putnam
Sinclair
Wake
Wedge

Mr. Burdick being excused.

Mr. Andrus present and not voting.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 37 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the further consideration of House Bill No. 121.

A bill for an act defining burglary with explosives, and prescribing a penalty therefor.

Be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 83, nays none; absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Pernt	Hankinson	Restemayer
Anderson, O. P. N.	Haugen	Martin of Morton
Andrus	Hemmingsen	Rose of Dickey
Blake	Hosford	Shannafelt
Blegen	Jensen	Simpson
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Trail
Carter	Johnson of Ward	Shirley
Casey	Jones of Barnes	Stavens
Chapman	Law	Steen
Church	Rohs of Morton	Stevens
Collins	Mathews	Storey
Connolly	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Svvertson
Dean	Mockler	Thoreson
Dibley	Monek	Tofsrud
Elhard	Moore	Treat
Flamer	Morin	Tufte
Freeman	Nelson of Steele	Ueland
Ganssle	Nelson of Traill	Walker
Gibbens	Oveson	Watts
Graham	Parkhill	Welford
Grant	Peake	White
Griffith	Piper	Mr. Speaker
Halaas	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Garden	Putnam
Brodie	Giedt	Schlenker
Burdick	Hanson	Sinclair
Buttz	Jones of Ransom	Wake
Duncan	Martin of Billings	Wedge
Evans	Murphy	

Mr. Burdick being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved that

House Bill No. 136,

A bill for an act to repeal section 2282 of the Revised Codes of North Dakota, for 1905, being chapter 125 of the

Session Laws of the State of North Dakota for the year 1899, relating to public printing.

Be re-referred back to the committee on public printing with the instruction that they report a substitute bill such as in their judgment may better meet the present needs for legislation on the subject of public printing.

Which motion prevailed, and

The bill was so referred.

Mr. Stevens moved

That Senate Bill No. 83 be withdrawn from the committee on state affairs and referred to the committee on public printing.

Which motion prevailed.

The house returned to the Fifth order of business.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr Speaker:

Your committee on engrossment have examined House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

Also,

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Have had the same under consideration and recommend the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,
Which motion prevailed and

The report of the committee was adopted.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 58, nays, 12, absent and not voting 28, present and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Haugen	Piper
Anderson, Grand F'rks	Hemmingsen	Plath
Anderson, Bernt	Jensen	Rohs of Morton
Anderson, O. P. N.	Johnson of Pembina	Shannafelt
Andrus	Johnson of Sargent	Sorley of Grand Forks
Blegen	Jones of Barnes	Sorlie of Traill
Brotnov	Martin of Morton	Shirley
Carter	Mathews	Stavens
Church	McDowall	Steen
Crawford	Midgarden	Storey
Cunningham	Miller	Streeter
Dean	Mockler	Swendseid
Elhard	Monek	Syverson
Ganssle	Moore	Thoreson
Gibbens	Morin	Tofsrud
Graham	Nelson of Steele	Tufte
Grant	Nelson of Traill	Ueland
Griffith	Oveson	Watts
Hallick	Peake	Welford
Hanawalt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burgum	Dibley	Schlenker
Chapman	Flamer	Simpson
Collins	Hosford	Treat
Connolly	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Purdon
Brodie	Hankinson	Putnam
Burdick	Hanson	Restemayer
Buttz	Johnson of Ward	Rose of Dickey
Casey	Jones of Ransom	Sinclair
Duncan	Law	Stevens
Evans	Martin of Billings	Wake
Freeman	Murphy	Walker
Garden	Parkhill	Wedge
Giedt		

Messrs. Blake and White present, but did not vote.

Mr. Burdick being excused.

So the bill passed and the title was agreed to.

Mr. Chapman explained his vote.

Mr. Shirley moved

That the vote by which House Bill No. 32 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and
The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 11, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Harris.

Roll call.

All members present except Messrs. Buttz, Brodie, Burdick, Duncan, Evans, Putnam and Wake, who were excused.

REPORT OF STANDING COMMITTEES

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

Concurrent resolution, introduced by Mr. Buttz, relating to amendment of denaturized alcohol bill now pending in congress.

Also,

Concurrent Resolution. A substitute offered by the senate for house concurrent resolution introduced by Mr. Grant, relating to repeal of tariff on lumber and coal between the United States and the provinces of Canada.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Also,

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

And find the same correctly engrossed.

K. O. BROTNOW,
Acting Chairman.

Mr. Brotnov moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Have had the same under consideration and recommend that the same do pass.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign the concurrent resolution relating to denaturized alcohol.

Also,

A substitute concurrent resolution offered by the senate to a combination in restraint of trade between the dealers in coal and fuel and the dealers in lumber in the state of North Dakota.

And the speaker signed the same in the presence of the house.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee appointed to arrange a program for the observance of Lincoln's birthday report that they have met a similar committee appointed by the senate and have arranged to meet in joint session in the house chamber at 2 o'clock p. m. Tuesday, Feb. 12, to hold memorial services, and that Governor John Burke has been invited to deliver the address and Prof. Schultz and others to furnish music.

SPEAKER TWITCHELL,
O. P. N. ANDERSON,
E. L. GARDEN

House Committee

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source beonging to the school divisions of the state.

Also,

Senate Bill No. 57,

A bill for an act to prevent the adulteration and misbranding of foods and beverages, the selling of adulterated and unwholesome foods and beverages, and providing for the proper labeling of all foods and beverages.

Also,

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

Also,

Senate Bill No. 136,

A bill for an act to amend section 2625 of the Revised Codes of 1905, relative to fees for interpreters.

Also,

Senate Bill No. 138,

A bill for an act to amend and re-enact section 2613 of the Revised Codes of 1905.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Johnson of Ward introduced
House Bill No. 228,

A bill for an act providing for the election of tax collectors and for the collection of delinquent personal property taxes.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Miller introduced
House Bill No. 229,

A bill for an act to establish and permanently fix the state fair at Devils Lake, in Ramsey county, North Dakota, making appropriation therefor, and to repeal sections 1306 and 1307 of the Revised Codes of the state of North Dakota for the year 1905.

Which was read the first and second time, and
Referred to the committee on appropriations.

Mr. Thoreson introduced

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Which was read the first and second times and
Referred to the committee on agriculture.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1907.

I have the honor to inform you that the following senate members of the joint committee to consider reciprocal demurrage have been appointed: Messrs. Gilbert, Regan and Palmer.

Very respectfully,
J. W. FOLEY,
Secretary.

THIRD READING OF HOUSE BILLS.

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of

North Dakota providing for the distribution of supreme court reports."

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 88, nays 0, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Pugh
Adams	Hankinson	Purdon
Anderson, Grand F'rks	Hanson	Restemayer
Anderson, Bernt	Haugen	Rohs of Morton
Anderson, O. P. N.	Hemmingsen	Rose of Dickey
Andrus	Hosford	Schlenker
Blake	Jensen	Shannafelt
Blegen	Johnson of Pembina	Simpson
Brotnov	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Shirley
Casey	Law	Stavens
Chapman	Martin of Morton	Steen
Church	Martin of Billings	Stevens
Collins	Mathews	Storey
Connolly	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Syvertson
Dean	Mockler	Thoreson
Dibley	Monek	Tofsrud
Elhard	Moore	Treat
Flamer	Morin	Tufte
Freeman	Murphy	Ueland
Ganssle	Nelson of Steele	Walker
Gibbens	Nelson of Traill	Watts
Graham	Oveson	Wedge
Grant	Parkhill	Welford
Griffith	Piper	White
Halaas	Plath	Mr. Speaker
Hallick		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Evans	Peake
Burdick	Garden	Putnam
Buttz	Giedt	Sinclair
Duncan	Jones of Ransom	Wake

Messrs. Buttz, Brodie, Burdick, Duncan, Evans, Putnam and Wake being excused.

So the bill passed and the title was agreed to.

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Was read the third time.

The question being on the final passage of the bill,
The roll was called and there were ayes 81, nays 2, absent
and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Adams	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Schlenker
Blegen	Hosford	Shannafelt
Brotnov	Jensen	Simpson
Burgum	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Chapman	Johnson of Ward	Shirley
Church	Jones of Barnes	Stavens
Collins	Law	Steen
Connolly	Martin of Morton	Storey
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syvertson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Elhard	Mockler	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Walker
Ganssle	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Graham	Oveson	Welford
Grant	Parkhill	White
Griffith	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Garden	Putnam
Burdick	Giedt	Sinclair
Buttz	Jones of Ransom	Streeter
Casey	Martin of Billings	Treat
Duncan	Monek	Wake
Evans	Peake	

Messrs. Murphy and Stevens voting in the negative.

Messrs. Burdick, Brodie, Buttz, Duncan, Evans, Putnam
and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Bernt Anderson moved

That the vote by which house bill No. 12 passed be re-
considered and the motion to reconsider be laid upon the
table.

Which motion prevailed.

House Bill No. 93,

A bill for an act to provide for the division of funds and
property owned jointly by a village and a township, when

they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Was read the third time.

Mr. White moved

That the further consideration of the bill be referred back to the committee on municipal corporations.

Which motion prevailed, and

The bill was referred.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 137,

A bill for an act relating to unauthorized wearing or use of badges, name, title of officers, insignia, ritual or ceremonies of certain orders and societies.

Was read the first and second times and

Referred to the committee on state affairs.

Also,

Senate Bill No. 24,

A bill for an act to amend section 1016 of the Revised Codes of 1905, relating to report by city treasurer of receipts and disbursements of moneys of independent school districts.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 94,

A bill for an act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Was read the first and second times, and

Referred to the committee on school and public lands.

Also,

Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Was read the first and second times and

Referred to the committee on state affairs.

Also,

Senate Bill No. 10,

A bill for an act requiring railroad companies to report

all wrecks and casualties wherein any person is injured or killed, to the railroad commissioners.

Was read the first and second times, and

Referred to the committee on railroads.

Also,

Senate Bill No. 134,

A bill for an act establishing and naming a state flower for the state of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 100,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 138,

A bill for an act to amend and re-enact section 2613 of the Revised Codes of 1905.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 136,

A bill for an act to amend section 2625 of the Revised Codes of 1905, relative to fees for interpreters.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 57,

A bill for an act to prevent the adulteration and misbranding of foods and beverages, the selling of adulterated and unwholesome foods and beverages, and providing for the proper labeling of all foods and beverages.

Was read the first and second times, and

Referred to the committee on public health.

Also,

Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Was read the first and second times, and

Referred to the committee on school and public lands.

MESSAGE FROM THE SENATE.

The following message was received from the seante:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 11, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following resolution:

WHEREAS, The warden of the state penitentiary in his annual report has recommended the enlargement of the twine and cordage plant and has proposed that the sinking fund be used for this purpose; therefore, be it

Resolved, That a committee consisting of two members from the senate and three from the house be appointed to ascertain if such enlargement is deemed advisable and what funds, if any, should be appropriated for that purpose.

Which the senate has adopted and your favorable consideration is respectfully requested.

The president of the senate, having appointed Messrs. Little and Regan as such senate committee.

Very respectfully
J. W. FOLEY,
Secretary.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Gibbens to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 142,

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

And recommend that the same be amended as follows:

At the end of section 4 add the following: "And the jurisdiction in cases of misdemeanors arising under the laws of this state which may have been taken from police magistrates by the increased jurisdiction of said county court, shall be fully restored to such police magistrates."

And when so amended recommend the same do pass.

Also,

House Bill No. 117,

A bill for an act to amend section 4079 of the Revised Codes of North Dakota, 1905, relating to rights and capacity of husband and wife.

And recommend that the same be amended as follows:

Strike out everything after the word "section" in title and substitute the following: "4082 of the Revised Codes of 1905 relating to separate and mutual rights and liabilities of husband and wife.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. That section 4082 of the Revised Codes of 1905 be, and the same is hereby, amended to read as follows:

"Section 4082. Separate and Mutual Rights and Liabilities.] Neither the husband nor the wife, as such, is answerable for the acts of the other.

"(2). The earnings of the wife are not liable for the debts of the husband; and the earnings and accumulations of the wife and of her minor children living with her, or in her custody; while she is living separate from her husband, are the separate property of the wife. *Provided*, however, that the husband and wife shall be jointly and severally liable for any debts contracted by either while living together for necessary household supplies, of food, clothing and fuel for themselves and family; and for debts incurred in the education of her children.

"Sec. 2. Repeal.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed."

And recommend the same be referred to the judiciary committee.

Also,

House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

And recommend that the same be amended as follows:

Line 26, page 2, of printed bill, strike out the words "three hundred dollars" and substitute in lieu thereof the words "one hundred dollars."

Line 28, page 2, of printed bill, strike out the words "five hundred dollars" and substitute in lieu thereof the words "three hundred dollars."

Also,

Strike out the emergency clause,

Also,

In line 9 the word "red" be stricken out and the word "tinted" be inserted in lieu thereof.

Also,

In line 30 strike out all after the word "jail" and strike out all of lines 31 and 32.

And when so amended recommend the same do pass.

Also,

House Bill No. 132,

A bill for an act amending section 26 of the Political Codes of North Dakota.

And recommend that the same be amended as follows:

Strike out the emergency clause.

In line 9 the word "red" be stricken out and the word "tinted" be inserted in lieu thereof.

In line 30 strike out all after the word "jail;" and strike out all of lines 31 and 32.

On page 1, in line 7, strike out all words following, and beginning with, "and;" strike out all of line 8; strike out all of line 9, and the words "of dairy products" in line 10. In line 10 strike out "and dairy;" in line 11 strike out "inspector" and "each."

On page 2, strike out lines 16, 17 and 18. In line 24 strike out words "who shall act as chief, and dairy inspector." In line 25 strike out words "who shall be his assistant." In line 32 strike out the words "four thousand and five hundred dollars," also figures in parentheses, "(\$4,500.00)," and insert in lieu thereof the word and figures "two thousand, five hundred dollars (\$2,500.00)."

On page 3, in line 39, strike out words "and dairy," also the word "inspector," beginning in line 39 and ending in line 40. In line 4 of section 2, page 3, strike out words "and dairy inspector." In line 1 of section 3 on page 3 strike out the words "and dairy," also the word "inspector," beginning in line 1 of section 3 and ending in line 2 of said section.

On page 4, in line 17, strike out the words "and dairy inspector."

On page 10, in line 4 of section 14, correct spelling of second word from the beginning of said line, by substituting letter "e" for letter "a."

On page 12, in section 19, strike out lines 4 and 5.

Also,

Amend section 19 by striking out the words "and particularly sections 2090 to 2107, inclusive of the codes of 1905" in lines 2 and 3.

Also,

Amend title to read as follows:

A Bill for an Act to Regulate the Manufacture and Sale of Dairy Products and Imitations and Substitutes Therefor. Prescribing Penalties for Violations; to Create the Office of Assistant Dairy Commissioner, Prescribing His Duties and Fixing His Salary; and to Repeal Sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

And when so amended recommend the same do pass.

A. S. GIBBENS,
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

On request of Mr. Jones of Ransom the privileges of the floor were extended to Hon. H. S. Oliver and Cul Carrel of Lisbon, N. D.

On request of Mr. Streeter the privileges of the floor were extended to Messrs. Y. W. Walker, John Screers, Lars Langedahl and Karl Adams of Kidder county.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to Mayor Duis of Grand Forks.

On request of Mr. White the privileges of the floor were extended to Messrs. G. L. Elkin and President Carhart.

On request of Mr. Sorley the privileges of the floor were extended to President Merrifield of state university.

On request of Mr. Casey the privileges of the floor were extended to Mayor J. H. Fraime of Grafton, N. D.

On request of Mr. Freeman the privileges of the floor were extended to Messrs. J. B. Hall, attorney, and D. H. Cooks of Lansford, N. D.

On request of Mr. Martin of Billings the privileges of the floor were extended to Major Davis of Billings county.

Mr. Shirley moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 12, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Mr. Sorley of Grand Forks moved

That the roll call be dispensed with, and that the chief clerk notify the senate that the house is now ready to meet the senate in joint session.

Which motion prevailed.

JOINT SESSION.

The joint session of the two houses was called to order by Lieutenant Governor Lewis.

Mr. Sorley of Grand Forks moved

That a committee be appointed to wait upon the governor, members of the supreme court and state officials.

Which motion prevailed, and

Lieutenant Governor Lewis appointed as such committee Senators Taylor and Talcott and Representatives Sorley of Grand Forks, Treat and Johnson of Ward.

The committee returned escorting Governor Burke, the Judges of the Supreme Court and State Officials.

Lieutenant Governor Lewis introduced Governor Burke who addressed the joint assembly.

The joint assembly joined in the singing of "America," and at the conclusion of benediction offered by the Venerable Archdeacon Jones, chaplain of the senate the joint assembly dissolved.

HOUSE RECONVENED.

Mr. Sorley of Grand Forks moved

That the house take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock a. m. tomorrow (Wednesday).

P. D. NORTON,
Chief Clerk.

THIRTY-SIXTH DAY—AFTER RECESS
AND
THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1907.

The house assembled at 10 o'clock a. m., pursuant to recess taken.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 3, change "twenty-second" to thirty-second;" also strike out lines 8 and 9 on said page and insert in lieu thereof the following: "And when so amended recommend that the same be approved;" and after the word "moved" in line 12, page 2, add the following: "That the report be adopted."

On page 14, line 8, change figures "69" to "70;" on line 9 change figures "24" to "23;" after name "Law" on line 25 insert name "Midgarden;" and strike out name "Midgarden" on line 5 from foot of page 14.

On page 15, line 1, change "Hammond" to "Hannawalt."

On page 8, line 22, after word "first" insert words "and second;" and change word "senate" to "house."

On page 22 strike out lines 27, 28 and 29; on line 6 from bottom, same page, change name "Watts" to "Burgum."

On line 5 from foot of page 22 strike out word "adjourn" and insert in lieu thereof the following: "Take a recess until 10 o'clock a. m. Monday."

On line 3 from foot of page 22 strike out the word "adjourned" and insert in lieu thereof the words "took a recess until 10 o'clock a. m. Monday."

And when so amended recommend the same do pass

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEE.

The committee on fish and game made the following report:

Mr. Speaker:

Your committee on fish and game to whom was referred House Bill No. 87,

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, wild animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

Have had the same under consideration and recommend that the same be amended as follows:

Section 11, line 11, after the word "procedure" insert the following: "And may follow violators of this act out of their respective districts and are herein given power to make arrests any place within this state and take the person or persons so violating this act back to the county for trial where the offense was committed."

Section 12, line 35, after the word "fish" insert the following: "Except in lakes having been stocked with fish, where the waters flow into the waters of a foreign country, a screen may be placed in such lake to prevent the planted fish therein from leaving said lake."

Section 14, strike out lines 3 and 4 and insert in lieu thereof the following: "Brant, crane or jacksnipe at any time other than between the thirty-first day of August and the first day of December of each year, except that wild geese or brant of any variety may be killed, as in this act provided, between the thirty-first day of March and the first day of May of each year."

Strike out lines 10 and 11 and insert in lieu thereof the following: "Other species or variety of game birds at any time other than between the thirty-first day of August and the sixteenth day of October of each year."

Section 15, line 6, strike out the word "fifty" and insert in lieu thereof the words "thirty-five."

Section 17, strike out lines 2 and 3 and insert in lieu thereof the following: "Takes or has in possession any deer or fawn at any time other than between the ninth day of November and the first day of December of each year."

Section 29, line 7, strike out the word "two" and insert in lieu thereof the word "one."

Section 57, line 3, strike out the word "geese."

And when so amended recommend the same do pass.

MARTIN THORESON,

Chairman.

Mr. Speaker:

Your committee on elections and privileges to whom was referred

House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of members of the national committee and relating to their nomination and the perpetuation of political parties.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of section 2 of the printed bill strike out the words "Tuesday following the third Monday of" and insert in lieu thereof the words "the last Wednesday in."

In section 2, in line 6, of the printed bill, strike out the word "and" after the word "officers." In line 7 of the same section of the printed bill after the word "officers" where it first appears insert the words "district assessors;" and in line 6 of the same section place a comma after the words "state officers" and in line 7 of the same section insert a comma after the words "county officers."

Amend section 4, line 7, of the printed bill, by striking out the letter "s" in the word "affiliates" and insert in lieu thereof the letter "d."

Amend section 4, in line 10 of the printed bill, by inserting after the word "commissioner" the words "and district assessors."

Amend section 4 of the printed bill in line 13 by adding after the word "commissioner" the words "or district assessor."

Amend section 4, in line 18 of the printed bill, by inserting after the word "commissioner" the words "district assessors."

Amend section 5, in line 14 of the printed bill, by striking the word "third;" and in line 15 by striking out the words "Monday of" and insert in lieu thereof the words "last Wednesday in."

Amend section 5 of the printed bill by striking out all of line 16 after the word "party" and all of lines 17, 18 and 19.

Amend section 5, in line 21 of the printed bill, by inserting after the words "street No." the words "or residence."

Amend section 5, in line 30 of the printed bill, by striking out the word "and" and all of line 31.

Amend section 5 in line 35 of the printed bill, by inserting after the word "county" the words "or district."

Amend section 5, in line 38 of the printed bill, by adding after the word "county" the words "or district."

Amend section 7, in line 9 of the printed bill, by striking out the word "have" and insert in lieu thereof the words "receive at the primary election."

Amend section 7, in line 10 of the printed bill, by inserting after the word

"votes" "equal to the number;" also in line 10, after the word "petition," by inserting the words "as required by sections 3 and 4 hereof."

Amend section 7 by striking out the word "primary" in line 11 of the printed bill and insert in lieu thereof the word "general;" and by striking out in line 11 all after the word "ballot."

Amend section 7 line 21 of the printed bill by inserting after the word "thereafter" a comma and the words "or until his successor is elected."

Amend section 8, in line 8 of the printed bill, by striking out the word "yellow" and insert in lieu thereof the word "tinted."

Amend section 8, in line 59 of the printed bill by striking out the word "one" and insert in lieu thereof the word "three."

Amend section 8 by striking out all of line 60 of printed bill.

Amend section 8, in line 70 of the printed bill, by inserting after the word "clerk" the words "of district court."

Amend section 8 by adding after line 73 of the printed bill a new line numbered "78½ District AssessorDistrict..... vote for one."

Amend section 8 of the printed bill by striking out all of said section after line 83.

Amend section 9, in line 5 of the printed bill, by striking out the word "five" and insert in lieu thereof the word "one."

Amend section 9 by striking out all after the word "affiliates" in line 9 of the printed bill.

Amend section 10 by adding to the end of said section the following: "Provided, however, that when a vacancy occurs by reason of no petition having been filed by any person for such office then such vacancy is to be filled in like manner by the committee of the party in which such vacancy occurs at least fifteen days before the date of the primary election; in which case the candidates selected to fill such vacancy shall pay a fee equal to one-half of the amount herein required from a candidate on the presentation of his petition."

Amend section 12 by adding before the word "sample," in line 2 of the printed bill, the words "official and."

Amend section 12 by striking out all of said section 12 after line 3 of the printed bill.

Amend section 13, in line 8 of the printed bill, by striking out "512" and inserting in lieu thereof "637;" and amend section 13, in line 9 of the printed bill by striking out "1895" and inserting in lieu thereof "1905" so far as applicable."

Amend section 14, in line 2 of the printed bill, by striking out all after the word "sections" and insert in lieu thereof the words "of the Revised."

Amend section 14, in line 3 of the printed bill, by striking out "1895" and the words "entitled elections" and in lieu thereof insert "1905."

Amend section 14, in line 5 of the printed bill, by striking out all after the word "sections" and all of lines 6, 7 and 8 of the printed bill in said section, and insert in lieu thereof "605, 606, 607, 608, 609, 610, 613, 614, 615, 616, 619, 620, 621, 622, 623, 624, 630, 635, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 656, 658, 659, 660, 669, 671, 672, 673, 674, 681, 682, 683, 684, 685, 686 and 687."

Amend section 15 by striking out all of said section after the word "place" in line 16 of the printed bill.

Amend section 17, in line 2 of the printed bill, by striking out the word "nine" and insert in lieu thereof the word "eight."

Amend section 21, in line 28 of the printed bill, by adding after the word "commissioner" the words "district assessor."

Amend section 21, in line 32 of the printed bill, by striking out the words "a newspaper at" and inserting in lieu thereof the words "the official newspapers of;" and in the same line by striking out all after the word "county."

Amend section 22, in line 6 of the printed bill, by inserting after the word "commissioners" the words "district assessors;" and in line 14 of the same section by inserting after the word "commissioners" the words "district assessors."

Amend section 23, in line 5 of the printed bill, by striking out the word "twenty" and inserting in lieu thereof the word "fifteen."

Amend section 24, in line 8 of the printed bill, by inserting after the word "highest" the words "number of."

Amend section 25 by striking out everything after the word "office" in line 18 of the printed bill and insert in lieu thereof "and he shall also forthwith transmit to each of the county auditors in the state a certified copy of such findings, and it is hereby made the duty of each county auditor to publish in the official newspapers of his county the names of all persons nominated for state officers, judges of the supreme and district courts, presidential electors, members of congress, United States senator and member of the national committee."

Section 26, in line 1 of the printed bill, after the word "state" add the words "and county auditors;" and by adding after the word "following," in line 7 of same section, the words "in the manner now provided by law."

Amend section 27, in line 4 of the printed bill, by striking out all after the word "county" and all of lines 5, 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the following: "The county central committee of the party in the county in which such vacancy occurs shall meet and by a vote of the majority of such committee shall fill such vacancy, and they shall by a certificate of nomination notify the county auditors of the several counties of which said district is composed and the auditors of such county shall place the names on the primary election ballots where the vacancy exists."

Amend section 27, in line 13 of the printed bill, by adding after the word "district" the words "or assessor's district."

Amend section 27, in line 14 of the printed bill, by inserting after the word "then" the words "members of;" and in the same line, after the word "party" insert the words "residing in the district." In line 15 of the same section, after the second word "vacancy," add "shall meet and fill such vacancy and shall certify to the county auditor the nomination made to fill said vacancy." In line 15 in said section strike out the letter "a" and insert in lieu thereof the word "said;" and in line 16 of the same section strike out the words "from said committee."

Amend section 28 by striking out all of line 1 and the word "election" in line 2 of the printed bill.

Amend section 28, in line 3 of the printed bill, after the word "officers" insert the words "and legislative assembly."

Amend section 28 by inserting after the word "place" in line 4 of the printed bill "and at a time in the month of July following said primary election." In line 5 of the same section strike out the word "and" and insert in lieu thereof the word "to." In line 5 of the printed bill, in the same section, place a period after the word "committee." Strike out all of line 6 in said section.

Amend section 29, in line 6 of the printed bill, by inserting after the word "place" "and at a time to be."

Amend section 30 by striking out the word "of" in line 2 of the printed bill and inserting in lieu thereof the word "to."

Amend section 31, in line 6 of the printed bill, by striking out the first word "has" and insert in lieu thereof the word "have."

Amend section 31 by placing a period after the word "article" in line 39 of the printed bill, and by placing a period after the word "law" in line 23 of the printed bill.

Amend section 31, in line 39 of the printed bill, by striking out the letter "a" and insert in lieu thereof the word "the."

Amend section 32, in line 3 of the printed bill, by striking out the word "voters" and inserting in lieu thereof the word "votes."

Amend bill by adding section 34a: "Section 34a. All fees paid to the secretary of state by candidates for the legislative assembly as provided herein shall be paid by the secretary of state forthwith to the various county auditors in the state where such candidates reside and in case any legislative district is composed of more than one county such fee shall be paid to such counties in equal proportions, which fees are to be turned into the general fund by said county auditors."

M. A. SHIRLEY,
Chairman.

Mr. Shirley moved

That House Bill No. 41 be made a special order for Wednesday afternoon at 2:30 p. m.

Which motion prevailed.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House bill No. 135,

A bill for an act to amend section 1216 of the Revised Codes of 1895, being section 1531 of the Revised Codes of 1905 of the State of North Dakota, relating to the state board of equalization.

Have had the same under consideration and recommend that the same do pass:

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 48,

A bill for an act to amend section 1531 of the Revised Codes of the state of North Dakota for 1905, relating to the state board of equalization.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same be amended as follows:

In printed bill strike out all of line 16 after the word "profits;" strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and in line 27 strike out the words "capital and surplus" and in lieu thereof insert "and the names and addresses of the owners of such shares of capital stock, and shall also furnish him a statement of the amount of its net investment in real estate which, in whole or in part, is being used and occupied by such bank or banking institution for its banking office or principal place of business; which real estate shall be returned in the name of the bank and shall be assessed and taxed as other real estate under this article. The assessor shall deduct from the aggregate amount of such capital stock, reserve or surplus fund and undivided profits the amount of its net investment of such real estate of such banking institution."

And when so amended recommend the same do pass.

O. T. TOFSRUD,
Chairman.

The committee on temperance made the following report:
Mr. Speaker:

Your committee on temperance to whom was referred
House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr Speaker:

Your committee on judiciary to whom was referred
House bill No. 22,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 213,

A bill for an act to amend section 8316, Revised Codes of 1905, relating to the salary of county judges in counties having increased jurisdiction.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 77,

A bill for an act to amend section 5039 of the Revised Codes of 1905, relating to conveyances.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,

Chairman.

The committee on railroads made the following report:
Mr. Speaker:

Your committee on railroads to whom was referred
House bill No. 15,

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of section 1 and insert in lieu thereof the following:

"SECTION 1. At all railroad stations or sidings where no agent of the company maintaining such station or siding is employed, provision shall be made by such company for promptly sealing all cars loaded at such station or siding and receipting to the shipper for the contents of such cars. And such sealing and receipting shall be done within twenty-four hours after the time that written notice has been served upon the station agent of such railroad company at the station nearest to such sidetrack or where the conductor of any freight train passing through such station or siding, where the agent is stationed. The notice shall state the number and initials of each car and the contents thereof, and twenty-four hours after the service of said notice the contents of such car shall be deemed to be in the possession of the railroad company, to all intents and purposes the same as if a regular receipt or bill of lading had been issued by the said railroad company therefor."

That all of section 2 be stricken out and that section 3 be numbered section 2.

And when so amended recommend the same do pass.

G. A. WHITE,

Chairman.

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

House Bill No. 66,

A bill for an act to secure earnings of laborers for work for operators of threshing machines.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN STOREY,
Chairman.

Mr. Storey moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The majority of the committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

House Bill No. 56,

A bill for an act to define who are public threshermen and to provide a security for the payment of the operating expenses of their machines.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN STOREY,
Chairman.

Mr. Storey moved

That the report be adopted,

The minority of the committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

House Bill No. 56,

A bill for an act to define who are public threshermen and to provide a security for the payment of the operating expenses of their machines.

Have had the same under consideration and recommend

that the same be indefinitely postponed and that in place of same the following substitute bill do pass:

Substitute for House Bill No. 56. Introduced by Mr. Freeman.

A Bill for an Act to Define Who are Public Threshermen and Provide a Security for the Payment of the Operating expenses of their machines.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. Public Threshermen Defined.) Any owner, operator or lessee of a threshing machine who operates such machine and performs services therewith for another for profit, is hereby declared to be a public thresherman within the meaning of this act.

SEC. 2. Filing Bond.) It shall be unlawful for any public thresherman to operate a threshing machine or machines at any time without first having filed with the county auditor of the county in which said machine or machines are first operated during the threshing season of each year, a good and sufficient bond for each machine so operated as provided for in section 3 of this act.

SEC. 3. Bond.) Such bond as mentioned in section 2 of this act shall be given to the state of North Dakota with good and sufficient sureties to be approved by the county auditor of said county in the penal sum of one thousand dollars (\$1,000), conditioned for the full payment of all debts for labor, goods, supplies, repairs and all other operating expenses contracted during the year for which said bond was given, and suit on said bond may be brought by the original creditor or his assignee in his own name as hereinafter provided. Said bond shall be signed by at least two or more sureties who shall be freeholders and residents of the county in which the threshing is to be done and they shall collectively justify in double the amount of the face of the bond. In lieu of said sureties upon said bond the principle thereon may furnish surety in some fidelity or surety company authorized to do business in the state of North Dakota. The county auditor shall be entitled to a fee of twenty-five cents for filing and approving said bond.

SEC. 4. Certificate.) Upon approval and filing said bond the county auditor shall issue to the public thresherman a certificate under his hand and official seal, showing that said public thresherman has complied with the provisions of this act.

SEC. 5. Priority of Debts.) The debts protected under the provisions of this act shall have priority in the following order:

First—Labor.

Second—Team hire.

Third—All other operating expenses.

All debts in the same class shall share ratably, provided, however, that no suit shall be brought on said bond until on or after the fifteenth day of November of each year. Provided further that in case said threshermen shall cease operation of said machine on or before the first day of November of each year, then suit may be brought on said bond at any time after ten days from the time said public threshermen shall cease to operate said machine or machines. All suits on said bond shall be brought by the creditor or assignee of same in the county in which the sureties reside, at the option of said creditor or assignee and in said action a duly certified copy of said bond shall be received as evidence of the same. Provided, however, that when any employe shall quit his employment without just cause, or if he shall be discharged for cause before the termination of the term of employment he shall be deemed to have waived his right to sue upon said bond.

SEC. 6. Penalty for Violation.) Each day's operation of a threshing machine or machines without having first complied with the provisions of this act shall constitute a distinct offense and shall be deemed a misdemeanor and upon conviction thereof shall be punished for each offense by a fine of not less than fifty dollars or by imprisonment in the county jail not less than thirty days or by both such fine and imprisonment in the discretion of the court.

SEC. 6. All acts or parts of acts in conflict herewith are hereby repealed.

WILL FREEMAN,

JOS. CRAWFORD,

A. A. MONEK,

Minority of Committee on Labor.

Mr. Streeter moved

That the majority and minority reports be sent to general orders.

Which motion prevailed.

The committee on state affairs made the following majority report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10, after the word "laws," in the printed bill, strike out the following: "And amendments to the constitution."

Also the following in lines 18, 19 and 20 on page 2: "But the same constitutional amendment shall not be proposed oftener than once in ten years."

Also the following in lines 68 and 69, on page 4: "Constitutional amendment or other."

And when so amended recommend the same do pass

O. P. N. ANDERSON,
Chairman.

Mr. Speaker:

We, the undersigned, a minority of your committee on state affairs, to whom was referred

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Have had the same under consideration and recommend the same do pass without amendments.

A. D. HANSEN,
W. E. MARTIN,
O. L. JENSEN,
A. O. GRAHAM,
JACOB ROHS.

Mr. Ueland moved

That the reports be made a special order for Thursday at 3 o'clock p. m.

Which motion prevailed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred
House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code of 1899, defining what shall be considered and held to be intoxicating liquors.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 191,

A bill for an act to amend section 9371 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

UNFINISHED BUSINESS.

Mr. Sorley of Grand Forks moved
That the house concur in senate resolution relating to the appointing of a committee to ascertain in regard to the enlargement of the twine plant.

Which motion prevailed, and

The speaker appointed as such committee Messrs. O. P. N. Anderson, Haugen and Griffith.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Streeter introduced
House Bill No. 231,
A concurrent resolution.
Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Martin of Morton introduced
House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Haugen (by request) introduced
House Bill No. 233,

A bill for an act entitled, An act making the use of any store, house, shop or other building or any basement or room therein or any lot, block or other parcel of land situate within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Pugh introduced
House Bill No. 234,

A bill for an act to amend section 9358 of the Revised Codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said Codes.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Gibbens introduced
House Bill No. 235,

A concurrent resolution.

Which was read the first and second times and
Referred to the committee on school and public lands.

Mr. Cunningham introduced
House Bill No. 236,

A bill for an act in relation to the taxation of grain grown

within this state and held therein in elevators, warehouses and granaries.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Sorley of Grand Forks introduced
House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Which was read the first and second times and
Referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 29,

A bill for an act to amend section 7252 of the Revised Code of 1905, relating to examination of an adverse party.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 1, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Adams	Hallick	Purdon
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, Pernt	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Shannafelt
Blegen	Hosford	Simpson
Brotnov	Jensen	Sinclair
Burdick	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Trail
Buttz	Johnson of Ward	Shirley
Carter	Jones of Barnes	Stavens
Casey	Law	Steen
Chapman	Martin of Morton	Storey
Church	Mathews	Streeter
Collins	McDowall	Swendseid
Connolly	Midgarden	Syvertson
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Dibley	Moore	Treat
Evans	Morin	Tufte
Flamer	Nelson of Steele	Ueland
Freeman	Nelson of Traill	Walker
Ganssle	Oveson	Watts
Garden	Parkhill	Wedge
Gibbens	Peake	Welford
Graham	Piper	White
Grant	Plath	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—

Brodie
Crawford
Duncan
Elhard
Hankinson

Messrs.—

Giedt
Jones of Ransom
Martin of Billings
Monek
Murphy

Messrs.—

Putnam
Schlenker
Stevens
Wake

Messrs. Duncan, Putnam and Wake being excused.

Mr. Anderson (O. P. N.) voting in the negative.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 29 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 31,

A bill for an act to amend section 9885 of the Revised Code of 1905 relating to arraignment.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 86, nays 0, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Graham

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Plath
Pugh
Purdon
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Buttz
Duncan
Giedt
Hankinson

Messrs.—

Jones of Ransom
Martin of Billings
Monek
Murphy
Putnam

Messrs.—

Schlenker
Sorley of Grand Forks
Stevens
Wake

Messrs. Duncan, Putnam and Wake being excused.
So the bill passed and the title was agreed to.

Senate Bill No. 81,

A bill for an act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitroglycerine, dynamite gunpowder or any other high explosive, and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burdick
Burgum
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Peake
Plath
Pugh
Purdon
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Treat
Tufte
Ueland
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Andrus
Brodie
Buttz
Duncan
Giedt
Hankinson
Jones of Ransom

Messrs.—

Martin of Billings
Mathews
Monek
Murphy
Piper
Putnam

Messrs.—

Schlenker
Simpson
Sinclair
Stevens
Tofsrud
Wake

Messrs. Duncan, Putnam and Wake being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 3,

A bill for an act to amend section 6710 of the Civil Code of the Revised Codes of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 45, nays 39 absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Burdick
Burgum
Carter
Chapman
Connolly
Crawford
Dean
Dibley
Elhard
Evans
Flamer
Freeman

Messrs.—

Ganssle
Gibbens
Graham
Griffith
Halaas
Hanawalt
Hemmingsen
Hosford
Johnson of Ward
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler

Messrs.—

Moore
Parkhill
Plath
Pugh
Purdon
Rohs of Morton
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Storey
Treat
Tuft
Wedge
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Andrus
Blake
Blegen
Brotnov
Church
Collins
Cunningham
Garden
Grant
Hallick
Hanson
Haugen

Messrs.—

Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Law
Morin
Nelson of Steele
Nelson of Traill
Oveson
Peake
Restemayer
Rose of Dickey
Shannafelt

Messrs.—

Sorlie of Traill
Shirley
Stavens
Steen
Streeter
Swendseid
Syvertson
Thoreson
Ueland
Walker
Watts
Welford
White

Absent and not voting:

Messrs.—

Aaker
Brodie
Buttz
Casey
Duncan
Giedt

Messrs.—

Hankinson
Jones of Ransom
Martin of Billings
Monek
Murphy

Messrs.—

Piper
Putnam
Stevens
Tofsrud
Wake

Messrs. Duncan, Putnam and Wake being excused.

So the bill was lost.

Mr. Streeter gave notice that he would at tomorrow's session move to reconsider the vote by which Senate Bill No. 3 was lost.

On request of Mr. Peake the privileges of the floor were extended to Messrs. George McFarland and Edgar A. Pray of Valley City.

On request of Mr. Simpson the privileges of the floor were extended to Messrs. J. H. McGillie, A. Thorbesy, W. Mackin and O. Killand of Mandan.

On request of Mr. Ueland the privileges of the floor were extended to Messrs. E. W. Field of LaMoure, and Nels Larson of Kulm.

On request of Mr. Aaker the privileges of the floor were extended to Mr. W. H. Thomas, state's attorney, of Benson county.

On request of Mr. Dibley the privileges of the floor were extended to Mr. A. G. Lewis of Fargo.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to Mr. S. Svensgaard of Bowden, N. D.

On request of Mr. Brotnov the privileges of the floor were extended to Mr. L. E. Baldwin of Grafton.

The speaker administered the oath of office to Louis Schnecker as page.

Mr. Sorley of Grand Forks moved

That the house do now adjourn.

Which motion prevailed and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 13, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Brodie, Duncan, Giedt, Hankinson, Monek, Putnam and Wake.

Messrs. Duncan, Putnam and Wake being excused.

The committee on revision and correction of the journal made the following report:

Mr Speaker:

Your committee on revision and correction of the journal of the thirty-third day after recess have carefully examined the same and recommend that the same be corrected as follows:

On page 6, line 11 from foot of page, insert the word "that" before the word "the;" and change word "was" to "be."

And when so amended recommend that the same be approved.

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

On page 14, line 9, strike out word "and."

Between lines 11 and 12 from bottom of page 11 insert the following words: "Mr. Speaker."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal

of the thirty-sixth day have carefully examined the same and found it correct.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Also,

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Also,

House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Also,

House Bill No. 142,

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

Also,

House Bill No. 132,

A bill for an act to Regulate the Manufacture and Sale of Dairy Products and Imitations and Substitutes Therefor, Prescribing Penalties for Violations; to Create the Office of Assistant Dairy Commissioner, Prescribing His Duties and

Fixing His Salary; and to Repeal Sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

To the Senate and the House of Representatives:

You now have before you appropriation bills amounting in the aggregate to more than two millions of dollars and there are still other appropriation bills to follow, one of which will be an appropriation for the maintenance of the capitol, which is, of course, an absolute necessity, and in addition thereto some of the educational institutions of this state in 1891 and in 1901 issued bonds in the sum of \$160,000 which, under the decision of the supreme court in the case of Board of University and School Lands vs. McMillan, is indirectly declared unconstitutional; that is, bonds attempted to be issued under a similar law passed in 1903 and declared unconstitutional. All but about \$55,000 worth of such bonds have been purchased by the board of university and school lands and a sinking fund was created from the interest and income of the state institution lands for the purpose of paying the interest on such outstanding bonds as follows: State university and school of mines, \$9,407; agricultural college, \$9,407.40; industrial school, \$3,708.32; reform school, \$3,762.96; soldiers' home, \$2,622.20.

In the case of Board of University and School Lands vs. McMillan the court held that while such bonds were issued by the institutions it was in fact a state debt and it necessarily follows that the state will be obliged to pay the debt and to pay into the different funds of the public institutions such amounts as were diverted from said institutions in the purchasing of said bonds and in the creation of a sinking fund, and it will be further necessary to appropriate money to redeem the outstanding illegal bonds not purchased by the board of university and school lands and which amount to about \$55,000, so that in addition to the support and maintenance of the different public institutions you have before you the question of the appropriation of money to take up the outstanding illegal bonds and moneys diverted from the funds of the different public institutions of the state. There is, perhaps, no immediate necessity for the payment of the funds of the different institutions used for the purchase of such bonds, but in this connection I will call your attention to section 11 of the Enabling Act, which provides that the proceeds of the sale of lands granted for educational purposes shall constitute a permanent school fund, the interest of which only shall be expended in the support of said schools, and that under the decision referred to the supreme court in construing this section holds "that such proceeds constitute a permanent trust fund, the interest and income of which alone may be used by the state, and that only for the support of such schools as are designated by the Enabling Act of the constitution and to the maintenance of the permanent school fund, to the faithful administration of which trust the faith and the honor of the state is pledged."

Under section 154 of the constitution "the income and interest of the common school fund shall be faithfully used and applied each year for the benefit of the common schools of the state and no part of the fund shall ever be diverted even temporarily from this purpose or used for any other

purpose whatever than the maintenance of the common schools * * * and if any portion be not expended then it shall be added to and become a part of the school fund;" and section 159 of the constitution, which relates to the other educational institutions, provides that "the proceeds of all such lands and other property received from any source shall be and remain perpetual funds, the interest and income of which, together with the rents of all such lands as remain unsold, shall be inviolably appropriated and applied to the specific objects of the original grants or gifts." This relates back to section 11 of the Enabling Act before referred to, which provides that the proceeds of the sale of such land shall constitute a permanent school fund, the interest of which only can be expended in the support of said schools; and section 159 further provides that such fund, that is, the fund arising from the proceeds of the sale of such public lands shall be deemed a trust fund held by the state and the state shall make good all losses thereof. The provisions of the constitution are mandatory and there is a moral obligation on the part of the legislature to comply with the provisions of the constitution that I have called your attention to.

In view of the conditions which I have presented, I earnestly recommend that you take such action as in your judgment the emergency and the constitution of your state demand, and that you in making your appropriations be careful to keep within the income of the state and not throw the responsibility upon the executive. The state institutions which we have must be maintained, but under the conditions which I have called your attention to, the legislative assembly should be careful about incurring new liabilities.

Respectfully,
JOHN BURKE,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 45,

A bill for an act defining and providing for the assessment of express companies.

Also,
Senate Bill No. 78,

A bill for an act to prohibit the soliciting of orders for the purchase or sale for future delivery of intoxicating liquors to others than persons holding druggist' permits, and providing a penalty for a violation of the same.

Also,

Senate Bill No. 144,

A bill for an act to amend section 949 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 151,

A bill for an act entitled "An act to prohibit unfair commercial discrimination between different sections, communities, or localities, or unfair competition, and providing penalties therefor.

Also,

Senate Bill No. 168,

A bill for an act to amend sections 977 and 998 of the Revised Codes of 1905, relating to education.

And

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

Also,

I have the honor to inform you that the president of the senate has appointed Mr. LaMoure as a member of the proposed joint committee for the investigation of the feasibility of enlarging the capacity of the state twine plant, in place of Mr. Regan.

Very respectfully,

J. W. FOLEY,

Secretary.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 2,

A bill for an act to amend chapter 30 of the Political Code of the state of North Dakota Revised Code of 1905, relating to cities.

Have had the same under consideration and recommend that the same be amended as follows:

That all of said bill after the enacting clause be stricken out and the following substituted:

SECTION 1. That section 2740, Revised Codes of the State of North Dakota of 1905 be and the same is hereby amended to read as follows:

Section 2740. Powers of Police Officers.) The chief of police shall perform such duties as shall be prescribed by the city council for the preservation of the peace. All police officers and watchmen of a city shall, within the city limits and for a distance of one and one-half miles in all directions within the state next outside the city limits, perform the duties and exercise the power of peace officers as defined and prescribed by the laws of the state; and shall also have power, and it shall be their duty to serve and execute any warrants, writs, process, order or notice issued to them by a police magistrate or city justices or justice of the peace within said city in any civil or criminal action or proceeding for or on account of a violation of any city ordinances, or in any action or proceeding in which the city is a part or beneficially considered; and in addition thereto shall perform such duties as shall be prescribed by the ordinances of the city, and shall also have power within said limits to serve and execute all writs and process whatsoever issued by said justices in civil actions.

SEC. 2. That article 17 of chapter 30 be and the same is hereby amended by adding thereto immediately after section 2770, the following:

Section 2770 (a) In all cases where snow and ice are not removed from sidewalks within the time and in the manner that is now or hereafter may be provided by the ordinances of any city, the same may be removed by or under the direction of the street commissioner, and the necessary expense thereof shall be chargeable against the abutting property. On or before May 1 in each year the street commissioner shall make and file in the office of the city auditor a list of the property chargeable and assessed against each lot and tract separately, and stating the owner's name, so far as known to him. The city auditor shall give notice by publication in official newspaper of the hearing and confirmation of such report and assessment at the regular June council meeting, notifying all persons objecting thereto to appear and present their objections, such notice to be published twice, once in each week for two consecutive weeks,

the last publication to be not less than eight days before the time fixed for the hearing. At the June council meeting or at such later meeting as the hearing and confirmation of such assessment may be adjourned to, the council shall take up and consider said assessment and shall hear any objection thereto or to any part thereof, and after revising and correcting the same, if necessary so to do, shall approve and confirm the same. The city auditor shall thereupon attach to such list his certificate that the same is correct as confirmed by the city council and shall thereupon file such assessment list in his office; and such assessment, with interest and penalties thereon, shall be and remain a paramount lien upon the property upon which such assessment is levied, from the time such assessment list is approved by the city council and shall remain a lien thereupon until fully paid and shall have precedence over all other liens except ordinary taxes to which it shall be subject, and such lien shall not be divested by any judicial sale, and no mistake in the description of the property or in the name of the owner shall obviate such lien, provided the property assessed can be identified by the description in such assessment list. Such assessment shall be certified to the county auditor by the city auditor at the same time and in the same manner that sidewalk assessments are certified by him under the provisions of section 2804, Revised Codes of 1905.

SEC. 3. That section 2778 of the Revised Codes of the State of North Dakota of 1905, be and the same is hereby amended to read as follows:

Section 2778. Resolution Declaring Work Necessary.) After the plans, specifications and estimates mentioned in the preceding section shall have been filed in the office of the city auditor and approved as provided in the preceding section the city council shall by resolution declare such work or improvement (except the construction or alteration of sewers) necessary to be done, such resolution shall refer intelligently to the plans, specifications and estimates therefor, and shall be published twice, once in each week for two consecutive weeks in the official newspaper of the city. If the owners of a majority of the property liable to be specially assessed for such proposed improvement shall not within fifteen days after the first publication of such resolution file with the city auditor a written protest against such improvement, then the majority of such owners shall

be deemed to have consented thereto. . At the next regular meeting of the city council after the expiration of the time for filing protests against such improvement, the council shall hear and determine the sufficiency and validity of such protests, and if two-thirds of the council shall decide that such protests are insufficient or not well taken, then the city council shall have power to cause such improvement to be made and to contract therefor, and to levy and collect assessments therefor as hereinafter provided, and all such work shall be let by contract to the responsible bidder whose bid is the lowest therefor.

In case the work to be done consists of paving or re-paving, the city council shall not in its resolution declaring such improvement necessary determine which of the kinds of paving or paving material shall be adopted; but in the call for bids bidders shall be invited to submit bids for one or more of the several kinds of paving or paving material for which the city engineer shall have been directed to file plans and specifications. When the bids shall have been opened and made public they shall be entered on the minutes of the meeting and be carefully preserved by the city auditor, and action on the same shall be deferred for a period of at least five days, and another meeting of the council shall be held at least five days after the opening of the bids for the purpose of considering and acting on the same. Notice of the time and place of such future meeting shall be published by the city auditor at least once in the official newspaper of the city at least five days before the date fixed for such meeting. If, after the opening of the bids and before the meeting of the council to consider the same the owners of a majority of the property liable to be specially assessed for such paving or re-paving, shall file with the city auditor a written petition (which may consist of a single petition or several separate petitions signed by the owners of a majority of the property liable to be specially assessed for such improvement or their authorized agents) indicating that such petitioners are agreed in a preference for any one of the kinds of paving, or paving materials for which bids have been invited, then it shall be obligatory upon the city council to cause the paving or re-paving to be constructed of the kind of paving material indicated in such petition.

SEC. 4. That section 2779 of the Revised Codes of the

State of North Dakota of 1905, be and the same is hereby repealed.

SEC. 5. That section 2780 of the Revised Codes of the State of North Dakota of 1905, be and the same is hereby amended to read as follows:

Section 2780. Duty of Council.) The city council shall then cause proposals for said work to be advertised for in the official paper of such city twice, once in each week for two consecutive weeks, which advertisement shall specify the work to be done according to the plans and specifications therefor on file in the auditor's office and shall call for bids therefor upon a basis of cash payment for said work, and state the time within which such bids will be received, and within which such work is to be completed. The city council may also require bidders to state the rate of interest the warrants shall bear (not exceeding seven per cent per annum), which are to be received and accepted by them at par in payment for such work. In case of pavement such proposals may call for bids for one or more kinds of pavement. Bids for such work shall be forwarded to the city auditor of such city securely sealed so as to prevent their being opened without detection, and shall have endorsed upon the outside thereof a statement of what work such proposals are for. Such bids shall be opened by the city council at the expiration of the time limited in said advertisement for receiving the same, which shall be not less than fifteen days after the first publication of said advertisement, or at such other time as the city council may appoint therefor, and if accompanied by a check and bond hereinafter provided for shall be considered, and if not accompanied by such check and bond shall be rejected.

SEC. 6. That section 2782 of the Revised Codes of the State of North Dakota of 1905, be and the same is hereby amended to read as follows:

Section 2782. Bonds.) Each bid for any such work shall also be accompanied by a bond running to the city. In case of all improvements except sidewalks, paving and repaving the amount of bidder's bond shall be a sum equal to the full amount of the bid. In case of paving or repaving, the amount of the bond to be required on each bid for different kind of paving or repaving shall be fixed at a sum equal to at least five per cent of the amount of the bid or such additional sum as the city council may by resolution

determine at the time bids are called for, provided, however, that in the case of contracts for the construction of sidewalks the amount of the bond shall be five hundred dollars. Such bidder's bond shall be executed by the bidder or contractor as principal and by a surety company authorized to do business in this state, or by two or more freeholders resident of this state; and if executed by individuals as sureties such sureties must attach to such bond an affidavit of justification, showing that they possess the qualifications required of sureties in arrest and bail and are worth in the aggregate in property within this state a sum equal to twice the penalty of the bond over and above their exemptions; such bonds shall be made payable to the city and shall be conditioned as follows: That if the principal's bid shall be accepted and the contract for the work of improvement awarded to him, he will, within ten days after the acceptance of his bid or within such further time as the city council shall grant, enter into and execute a contract bond in a sum equal to the amount of the bid and a contract in writing to and with the city, to well and faithfully perform and complete the work for which his bid was accepted in accordance with the plans and specifications therefor and the terms of his bid and within the time required by the terms of such contract that he will pay for all labor and materials used in such work. Such bonds shall be for the benefit of the city. In case the bidder shall fail to execute a contract bond and a contract as aforesaid for the completion of the work bid for within ten days or such further time as the city council may grant after the acceptance of the bid, then the city council shall be authorized the same as if the bid or bond contained an expressed stipulation to that effect, to cause such work to be done or completed the work, or contract, with some other contractor to do or complete the work, and in such case may recover in a suit on the defaulting bidder's bond the difference between actual cost to the city of such improvements and the sum which it would cost if the defaulting bidder had complied with his bid.

The successful bidder shall, within the time fixed by the city council for executing the contract, file a contract bond in a sum equal to the full amount of the contract with the city auditor. Such contract shall be executed by the bidder or contractor as principal and a surety company, authorized to do business in this state, as surety or by two or

more freeholders resident of this state, and if executed by individuals as sureties such sureties must attach to such bond an affidavit of justification showing that they possess the qualifications required of sureties in arrest and bail, and are worth in the aggregate in property within this state a sum equal to twice the penalty of the bond over and above their exemptions; such bond shall be made payable to the city and shall be conditioned that he will well and faithfully perform the work bid for in accordance with the terms of and within the time provided for in such contract, and pursuant to the plans and specifications for such work on file in the city auditor's office, and pay for all labor and material used in such work, and that in case of default on the part of the bidder or contractor to perform such work as provided in his contract, the sum named in the bond shall be taken and held to be fixed and liquidated damages in favor of said city, and that the full amount thereof may be recovered from said bidder and his sureties in an action by the city against them on said bonds. Such bonds shall be approved by the city council and shall thereupon be and remain in full force and effect.

Upon the execution of the contract and approval of the contract bond the bidding bond shall be returned.

A sufficiency of any bond filed by a bidder shall be determined by the city council at the time of considering bids. If the council shall at any time deem the bond of a contractor insufficient either in form or sufficiency of sureties, it may require the successful bidder or contractor to furnish a new bond to be approved by the mayor and the city council within such reasonable time as the council may fix and if the bidder or contractor shall fail to furnish such new bond within the time required after notice to him to do so his contract may be canceled and in that event the contractor's bond shall be liable the same as if the contractor had failed to perform his contract.

SEC. 7. That section 2783 of the Revised Codes of the State of North Dakota of 1905, be and the same is hereby amended to read as follows:

Section 2783. Council May Reject Bids.) The city council shall have the right to reject any and all bids for work to be done under this article, if, in its opinion, the interests of the city will be best subserved by so doing, and re-advertise for further bids, but if all such bids are

not rejected the contract shall then be awarded to the responsible bidder whose bid is the lowest upon the basis of cash payment therefor. Provided such bidder shall have complied with the foregoing requirements; provided, further, that in case the contemplated improvements consist of paving or repaving, the city council may after opening and considering the bids, by resolution, determine the kind or kinds of pavement to be laid, and may then proceed to award a contract or contracts therefor.

SEC. 8. That section 2769 of the Revised Codes of the State of North Dakota of 1905, be and the same hereby is amended to read as follows:

Section 2769. Duty of Auditor.) The city auditor shall keep in his office a book called Sidewalk Repair Special Assessment book, and shall enter such cost so certified by the street commissioner therein, as a special assessment, against the lot or parcel of land adjoining such sidewalk, with the name of the owner, if known, to him; and at its regular meeting in September of each year, the city council shall review all assessments and hear all complaints against the same, and approve the same as finally adjusted.

SEC. 9. That section 2798 of the Revised Codes of the State of North Dakota of 1905, be and the same is hereby amended to read as follows:

Section 2798. Payment of One-Fifth by General Taxation.) Any city which shall have power under the debt limit provisions of the constitution to create valid obligations to that extent, may, at the option of the city council, provide for the payment of not exceeding one-fifth of the cost of any work hereinbefore provided for other than sidewalks, opening and widening streets and sewer and water connections from main to curb line, by general taxation of all taxable property in such city, and may contract with reference thereto; and make appropriations and levy taxes therefor in installments annually and extending over the same period as provided for the special assessments for such improvement. Such appropriation and tax levy, if not heretofore included in the annual appropriation ordinance may be made at any time as the occasion may require and be included in the next annual appropriation and tax levy.

Such appropriation and levy, whether made as part of the regular annual appropriation ordinance and tax levy, or

made thereafter, shall state the specific improvement for which such tax is levied, and the district in which such improvement is made and the amount thereof shall be credited to and the taxes collected thereunder be turned in to and be deemed part of the district fund upon which the warrants issued in payment of the improvement are to be drawn.

SEC. 10. That section 2815 of the Revised Codes of the State of North Dakota of the year 1905, be and the same is hereby amended to read as follows:

Section 2815. Connections With Sewer and Other Mains.) Whenever the city council shall determine to pave or repave any street, avenue or alley in which water mains, gas mains, sewers, steam pipes or other pipes, or either of them shall have been previously laid and constructed, they may, by resolution require the owners of all property abutting on the said street to cause sewer, water, gas, steam and other service pipes to be first constructed and laid in such street, avenue or alley at the cost of the property fronting thereon, from the sewer, water, gas, steam or other mains in said street, avenue or alley to a point two feet inside of the curb line on either side of such street, avenue or alley at such intervals along the whole length of such street, avenue or alley as shall be necessary to supply and serve each lot, part of lot or parcel of land in accordance with the city ordinance governing the construction of such connections.

Upon the adoption of such resolution the city auditor shall publish in the official newspaper of the city twice, once in each week for two successive weeks, a notice to said owner or occupant, setting forth what work is to be done and the time within which he is required to do the same. Such notice may be general as to the owner, but must be specific as to the description of the lot or parcel of land in front of which the improvement is to be made.

If such work is not done in the manner and within the time prescribed in said notice the city council shall order the same to be done by such person as they may have contracted with therefor, under the direction of the city engineer or street commissioner, in cities having no city engineer, at the expense of the lot or parcel of land adjoining such improvement and such expense, including the expenses of all notices in connection with such work and the assessment therefor, and any other expenses incurred for such

work, shall be assessed upon the lot or parcel of land properly chargeable therewith, by the city engineer or by the street commissioner in cities having no city engineer; and such assessment shall be returned by him and filed in the office of the city auditor, and the city auditor shall cause to be published the said assessment, together with a notice of the time and place when and where the city council will meet to approve the same, and said notice shall be published once in the official newspaper of the city at least ten days prior to the meeting of the city council to approve such assessment.

The city council after the adoption of such resolution declaring the necessity of making the service connections above referred to shall, by resolution, direct the city engineer to prepare plans and specifications for same and file with the city auditor and shall direct the city auditor to advertise for bids for the construction of such connections in accordance with the plans and specifications for the construction of the same which plans and specifications shall be filed with the city auditor by the city engineer. And such bids shall each be accompanied by a certified check in the sum of \$500 to guarantee the entering into the contract should same be awarded to him. Bids shall be received by the city council and the contract awarded to the lowest responsible bidder. The successful bidder shall give a surety bond in the sum of \$1,000 executed by such bidder and a surety company as surety or by two freeholders of the state, who shall justify as required in arrest and bail, and the aggregate of such justification shall equal the amount of such bond, and such bond shall be conditioned that in case such bid is accepted and such contract awarded to such bidder he will well and faithfully perform the work bid for in accordance with the terms of and within the time provided for in such contract, and pursuant to the plans and specifications for such work on file in the auditor's office, and pay for all labor and material used in such work, and that in case of default on the part of such bidder to perform such work as provided in his contract the sum named in said bond shall be taken and held to be fixed and liquidated damages in favor of said city; and that the full amount thereof may be recovered from such bidder and his sureties, in an action by the city against them on such bond. Such bond shall be approved by the city council and filed in the office of the city auditor, and shall thereupon be

and remain in full force and effect. Upon the award of the contract the checks of all unsuccessful bidders shall be returned to them, and upon the filing of such bond the check of the successful bidder shall be returned to him.

The city council shall have the right to reject any and all bids for work to be done under this section, if, in its opinion, the interests of the city will be best subserved by so doing, and re-advertise for further bids, but if all such bids are not rejected the contract shall then be awarded to the responsible bidder whose bid is the lowest upon the basis of cash payment therefor; provided, such bidder shall have complied with the foregoing requirements and furnished the bond hereinbefore provided for.

All contracts entered into for any work provided for in this section shall be entered in the name of the city and shall be executed on the part of the city, by the mayor thereof, and countersigned by the auditor with the corporate seal of the city affixed, and when signed by the contractor shall be filed in the office of the city auditor. Such contract shall require the work to be done thereunder to be done pursuant to the plans and specifications therefor on file in the office of the city auditor, and subject to the approval of the city engineer, who shall supervise and inspect such work during its progress, and there shall be reserved in each contract the right of the city council, in case of an improper construction of such work, to suspend work thereon at any time, and to relet the contract therefor, or order a reconstruction of said work or any part thereof improperly done. Each contract so entered into shall state the time on or before which such work must be completed, and must state from what fund the amount to be paid thereon by the city is to be paid, and that the consideration of such contract is payable only in warrants drawn on such fund, and that such city assumes and incurs no general liability under such contract.

In case the contractor to whom any such contract shall be let shall properly perform the work therein designated, the city council may from time to time in its discretion, as the work progresses, pay to such contractor upon an estimate made by the city engineer of the amount already earned thereunder, eighty-five per cent of the amount shown by such estimate to have been so earned, in warrants drawn on the fund from which the same is to be paid.

All money collected from special assessments for building and constructing sewer and water and other connections shall be kept in a fund called sewer and water connections special assessment fund, and warrants shall be drawn on such fund for the payment of the costs of all such connections.

All such sewer and water special assessments shall be paid in a single amount.

SEC. 11. This act shall not affect any contract let and commenced under this act which it amends, but all such contracts shall be conducted and concluded under the terms of said act.

SEC. 12. Emergency.) Whereas the present law relating to cities restricting police powers, methods of advertising for paving bids, letting contracts and bonds for same, and duties of auditors in relation thereto.

Therefore this act shall be in full force from and after its passage and approval.

And that the title be amended as follows: "For an Act to Amend Section 2740, Article 17, Immediately After Section 2770, Section 2778, Section 2780, Section 2782, Section 2783, Section 2769, Section 2798, Section 2815, and to Repeal Section 2779 of Chapter 30 of the Political Code of the State of North Dakota, Revised Codes of 1905, Relating to Cities."

And when so amended recommend the same do pass.

J. T. TREAT,
Chairman.

The committee on insurance made the following majority report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

G. A. MIDGARDEN,
Chairman.

The minority of the committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the word "states" in line 8 of printed bill; and that same be amended by repealing sections 4466 and 4467 of Revised Codes of 1905.

And when so amended recommend the same do pass.

ARNE P. HAUGEN,
CLARK MOORE,
F. E. DIBLEY,

The majority and minority reports were referred to general orders.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Which the senate has passed, and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

SPECIAL ORDERS.

Mr. Shirley moved

That the house resolve itself into a committee of the whole for the consideration of special orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Johnson of Ward to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration
House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of member of the national committee and relating to their nomination and the perpetuation of political parties.

And recommend the same be amended as follows:

Amend section 10 of printed bill by inserting at the end thereof, after the first provision, the following: "Provided, further, that in case of the election, at the general election, of any candidate who has not paid a full primary fee for a place on the ballot at the last preceding primary election, such candidate shall, before qualifying for the office to which he has been elected, pay to the proper officer such a sum as will make his payment as a primary fee equal to the full primary fee, as is required by this act.

Also,

Amend section 4, line 2 of printed bill, by striking out the word "twenty" and insert in lieu thereof the word "thirty."

Also,

Amend line 13 in section 4 of printed bill by striking out the word "of" and insert in lieu thereof the word "on."

Also,

Amend section 11 by adding "s" to the word "section" and by striking out the figures "491" and insert in lieu thereof "614 and 616."

Also,

Amend section 15 as follows: After the word "purpose" insert the following: "Provided, no sticker shall be used containing more than one name; and the use of what is commonly known as a blanket sticker is hereby prohibited."

Also,

Amend by properly inserting the amendments recommended by the committee on elections and privileges.

And when so amended recommend the same do pass.

C. A. JOHNSON,
Chairman.

Mr. Johnson moved

That the reading of the report of the committee of the whole be dispensed with and the report be adopted.

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 13, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following:

CONCURRENT RESOLUTION.

Indorsing that certain bill pending before congress forbidding the internal revenue department to issue liquor licenses in states where prohibition laws prevail, to anyone without proof that the applicant has complied with the laws of the state wherein the applicant resides. Be it

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, That the legislative assembly of this state heartily approve and indorse said bill. Be it further

Resolved, That we recommend the senators and representatives in congress of the state of North Dakota to support the said bill and use their utmost endeavors to secure the passage of the same.

Resolved, further, That the secretary of state be, and he hereby is, directed to transmit copies of this resolution to the senate and house of representatives of the United States, and to the members of said bodies representing this state."

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Shirley moved

That the rules be suspended and that House Bill No. 41 be considered engrossed and that the bill be placed on its third reading and final passage.

Which motion prevailed.

And

House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of member of the national committee and relating to their nomination and the perpetuation of political parties.

Was read the third time.

Mr. Sorley of Grand Forks asked unanimous consent to offer an amendment.

There being no objection Mr. Sorley offered the following amendment and moved its adoption

By adding, section 36, "that in case any of the provisions of this act

should be declared unconstitutional that shall not affect the validity of any of the other provisions of this act."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Purdon
Adams	Hanawalt	Restemayer
Anderson, Grand F'rks	Hanson	Rohs of Morton
Anderson, Bernt	Haugen	Rose of Dickey
Anderson, O. P. N.	Hemmingsen	Schlenker
Andrus	Hosford	Shannafelt
Blake	Jensen	Simpson
Blegen	Johnson of Pembina	Sinclair
Brotnov	Johnson of Sargent	Sorley of Grand Forks
Burdick	Johnson of Ward	Sorlie of Trail
Buttz	Jones of Barnes	Shirley
Carter	Law	Stavens
Casey	Martin of Morton	Steen
Church	Martin of Billings	Stevens
Collins	Mathews	Storey
Connolly	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Syverson
Dean	Mockler	Thoreson
Dibley	Moore	Tofsrud
Elhard	Morin	Treat
Evans	Murphy	Tufte
Flamer	Nelson of Steele	Ueland
Freeman	Nelson of Traill	Walker
Ganssle	Oveson	Watts
Garden	Parkhill	Wedge
Gibbens	Peake	Welford
Graham	Piper	White
Grant	Plath	Mr. Speaker
Griffith	Pugh	
Halaas		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Monek
Burgum	Hankinson	Putnam
Chapman	Jones of Ransom	Wake
Duncan		

Messrs. Duncan, Putnam and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 41 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Streeter moved

That the clerk be instructed to have printed 500 copies of House Bill No. 41 as amended and passed by the house.
Which motion prevailed.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.
The speaker called Mr. Treat to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

Senate Bill No. 2,

A bill for an act to amend chapter 30 of the Political Code of the state of North Dakota Revised Code of 1905, relating to cities.

And recommend that the same do pass as recommended by the committee on municipal corporations.

J. F. TREAT,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That Senate Bill No. 2 be made a special order for tomorrow.

Which motion prevailed.

On request of Mr. Buttz the privileges of the floor were extended to Andrew Sandager.

Mr. Sorley of Grand Forks moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 14, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Jones of Ransom and Wake, who were excused.

There being no objection the house took a recess for fifteen minutes.

AFTER RECESS.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Burdick presented the following petition:

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN: We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

WM. ELENBAUM and
THIRTY-TWO OTHERS.

Mr. Ueland presented the following telegram:

VALLEY CITY, N. D., Feb. 11, 1907.

Hon. L. A. Ueland, Bismarck:

We earnestly favor the passage of House Bill No. 26.

M. J. ENGLERT,
President of Int. & Ref. League.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 14, 1907.

Mr. Speaker:

I have the honor to return the following:

CONCURRENT RESOLUTION.

WHEREAS, The honorable chairman of the rivers and harbors committee of the house of representatives is laboring under misapprehension or ill advice as to the volume of water therein, and the value of the Upper Missouri and Yellowstone rivers for navigation purposes; and

WHEREAS, The volume of traffic on both of the navigable streams north of the 46th parallel will continue to increase with the now rapidly increasing immigration and the wonderful development of the country tributary to said rivers, incident to the completion of the irrigation ditches along said rivers, now under construction by the United States; now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring, That our senators and representatives are respectfully urged to secure proper recognition at the hands of congress and to have proper surveys made and adequate appropriations provided for the immediate snagging of the Upper Missouri and Yellowstone rivers, the dredging of shoal places, the removal of rocks from the channel, and the protection of the landing at the several important places, particularly at Rock Haven, Washburn, Mannheim, Expansion, Bismarck, Williston, Buford and Glendive.

Resolved, That a copy of these resolutions when passed be sent by the chief clerk of the house of representatives, to Hon. T. E. Burton, the chairman of the rivers and harbors committee of the house of representatives and to each of our senators and representatives in congress.

In which the senate concurred.

Very respectfully,

J. W. FOLEY,
Secretary.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 81,

A bill for an act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitroglycerine, dynamies, gunpowder or any other high explosive, and providing a penalty therefor.

Also,

Senate Bill No. 31,

A bill for an act to amend section 9885 of the Revised Code of 1905 relating to arraignment.

And the speaker signed the same in the presence of the house.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Also,

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Also,

House bill No. 135,

A bill for an act to amend section 1216 of the Revised Codes of 1895, being section 1531 of the Revised Codes of North Dakota, relating to the state board of equalization.

Also,

House Bill No. 213,

A bill for an act to amend section 8316, Revised Codes of 1905, relating to the salary of county judges in counties having increased jurisdiction.

Also,

House bill No. 22,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Also,

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code of 1899, defining what shall be considered and held to be intoxicating liquors.

Also,

House Bill No. 191,

A bill for an act to amend section 9371 of the Revised Codes of 1905.

And find the same correctly engrossed.

O. S. AAKE, R

Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

The committee on forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred

Senate Bill No. 80,

A bill for an act entitled: "An act defining the duties of district school boards in relation to the planting, cultivation and protection of trees and shrubs upon school house grounds.

Have had the same under consideration and recommend that the same do pass.

OLE SYVERTSON,

Chairman.

Mr. Syvertson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 134,

A bill for an act establishing and naming a state flower
for the state of North Dakota.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 215,

A bill for an act to provide for the lighting of the executive mansion with electricity to be furnished by the electric light plant at the capitol.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 48,

A bill for an act to repeal sections 395, 396, 397, 398 and 399 of the Revised Codes of 1905, relating to state weather bureau.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 218,

A bill for an act to amend section 3111 of the Revised Codes of North Dakota, 1905, relating to terms of office of township officers.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "amend" in the title and substitute therefor the word "repeal."

In section 1, line 1, strike out the word "amendment;" and in line 2, after the word "be," add the following: "And the same is hereby repealed."

Strike out all of section 3111 together with the emergency clause.

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

The committee on public health made the following report:

Mr Speaker:

Your committee on public health to whom was referred
Senate Bill No. 15,

A bill for an act providing for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 51,

A bill for an act fixing liability for damages caused by defective bridges.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 143,

A bill for an act entitled an act to amend section 1426 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
House Bill No. 177,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota of 1905, relating to mutual insurance companies, premium and liabilities.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved

That the report be adopted,
Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 149,

A bill for an act to amend section 4466 of the Revised Codes of 1905, relating to annual statements of insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. N. MIDGARDEN,

Chairman.

Mr. Midgarden moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13 of printed bill, after the word "re-attach" insert "providing there has been no loss while the policy was void."

In line 3 strike out the words "absolutely payable."

And when so amended recommend the same do pass

G. N. MIDGARDEN,

Chairman.

The committee on education made the following report:
Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,

Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the enacting clause in the printed bill the following:
"SECTION 1. That section 835 of the Revised Codes of 1905 be amended to read as follows:"

In line 2 of section 1 of the printed bill strike out the words "at the close" and insert in lieu thereof the words "between the first and twentieth day of June."

That section 1 of the printed bill be further amended in line 7 of same by striking out the word "and" immediately following the word "minded;" and inserting after the word "school" in the same line the words "or any model school in connection with any state normal school."

That said bill be further amended by inserting in line 17 of printed bill after the word "July" the following:

"Provided, that in districts where the number of persons of school age attending school for a period of sixty days during the school year in less than 50 per cent of the total enumeration, it shall be the duty of the county superintendent to withhold from such district its apportionment of state and county tuition funds until such time as a satisfactory explanation of the failure to send pupils to school is made by school board of said district to the county superintendent and superintendent of public instruction."

That line 35 of said bill be amended by inserting "section 2" before the first word in said line.

And when so amended recommend the same do pass

T. D. CASEY,
Chairman.

MESSAGE FROM THE SECRETARY OF STATE.

The following message was received from the secretary of state:

To the Members of the House of Representatives of the Tenth Legislative Assesmbly of the State of North Dakota:

GENTLEMEN: I, Alfred Blaisdell, secretary of state, of the state of North Dakota, do hereby certify that the following proposed constitutional amendments were passed by the Ninth legislative assembly, and are hereby respectfully submitted to the Tenth legislative assembly, for your approval or rejection

Respectfully,

ALFRED BLAISDELL,

Secretary of State.

PROPOSED CONSTITUTIONAL AMENDMENT.

That section 158 of the constitution of the state of North Dakota is amended to read as follows:

SECTION 158. Amendment. Minimum Price of State Lands. No lands shall be sold for less than the appraised value and in no case for less than ten dollars per acre. The purchaser shall pay one-fifth of the price in cash, and the remaining four-fifths as follows: One-fifth in five years, one-fifth in ten years, one-fifth in fifteen years and one-fifth in twenty years, with interest at the rate of not less than six per centum, payable annually in advance. All sales shall be held at the county seat of the county in which the land to be sold is situate, and shall be at public auction and to the highest bidder, after sixty days' advertisement of the same in a newspaper of general circulation in the vicinity of the lands to be sold, and one at the seat of government. Such lands as shall not have been specially subdivided shall be offered in tracts of one-quarter section, and those so subdivided in the smallest subdivisions. All lands designated for sale, and not sold within two years after appraisal shall be re-appraised before they are sold. No grant or patent for any such lands shall issue until payment is made for the same: provided, that the lands contracted to be sold by the state shall be subject to taxation from date of such contract. In case the taxes assessed against any of said lands for any year remain un-

paid until the first Monday in October of the following year, then and thereupon the contracts of sale for such land shall, at the election of the board of university and school lands, become null and void; and no such contract heretofore made shall be held void for non-payment of taxes accruing on the lands described therein; provided, such taxes shall have been paid before this amendment takes effect; provided, further, that any school or institution lands that may be required for townsite purposes may be paid for at any time and patent issued therefor.

PROPOSED CONSTITUTIONAL AMENDMENT.

Amendment. That section 89 of the constitution of the state of North Dakota be amended so as to read as follows:

SECTION 89. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum or pronounce a decision, but one or more of said judges may adjourn the court from day to day or to a day certain.

PROPOSED CONSTITUTIONAL AMENDMENT.

That section 162 of the constitution of the state of North Dakota be amended so as to read as follows:

SECTION 162. The moneys of the permanent school fund and other educational funds shall be invested only in bonds of school corporations or of counties, or of townships, or of municipalities within the state, bonds issued for the construction of drains under authority of law within the state, bonds of the United States, bonds of the state of North Dakota, bonds of other states, provided, such states have never repudiated any of their indebtedness, or on first mortgages on farm lands in this state, not exceeding in amount one-third of the actual value of any subdivision on which the same may be loaned, such value to be determined by the board of appraisal of school lands.

The speaker called Mr. Tufte to the chair.

MOTIONS AND RESOLUTIONS.

Mr. Chapman moved that a committee of three be appointed by the speaker to draft resolutions asking the president to modify his order made January 25, 1907, relating to homesteaders.

Which motion prevailed.

The speaker in the chair.

Mr. Streeter offered the following resolution:

Resolved, That it is the sense of this house that the use of this house will not be granted to any party or persons which requires the removal of the desks from the house.

Mr. Tufte moved the adoption of the resolution.

Which motion prevailed, and

The resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 14, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

SPECIAL ORDER

GENERAL ORDERS.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of House Bill No. 26.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Piper to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

And recommend that further consideration of the bill be indefinitely postponed.

R. G. PIPER,
Chairman.

Mr. Haugen moved

That the report of the committee be adopted,

Roll call demanded.

The question being on the adoption of the report of the committee.

The roll was called and there were ayes 50, nays 47, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Ganssle	Peake
Adams	Gibbens	Piper
Anderson, O. P. N.	Grant	Plath
Andrus	Griffith	Pugh
Blegen	Haugen	Purdon
Burdick	Hemmingsen	Restemayer
Burgum	Hosford	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Trail
Chapman	Law	Stavens
Church	McDowall	Stevens
Collins	Midgarden	Storey
Crawford	Miller	Treat
Dean	Moore	Tufte
Dibley	Murphy	Watts
Duncan	Nelson of Steele	White
Freeman	Oveson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hanawalt	Schlenker
Anderson, Bernt	Hankinson	Shannafelt
Blake	Hanson	Simpson
Brodie	Jensen	Shirley
Brotnov	Johnson of Pembina	Steen
Casey	Jones of Barnes	Streeter
Connolly	Martin of Morton	Swendseid
Cunningham	Mathews	Syvertson
Elhard	Mockler	Thoreson
Evans	Monek	Tofsrud
Flamer	Morin	Ueland
Garden	Nelson of Trail	Walker
Giedt	Parkhill	Wedge
Graham	Putnam	Welford
Halaas	Rohs of Morton	Mr. Speaker
Hallick	Rose of Dickey	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jones of Ransom	Martin of Billings	Wake

So the bill was indefinitely postponed.

On request of Mr. Purdon the privileges of the floor were extended to Mr. C. M. Johnson of Richland county.

On request of Mr. Monek the privileges of the floor were

extended to Messrs. C. R. Hodge, H. J. Martin, Eugene Ringuette, John B. Fried, Chas. Schmuacher, Charles S. Mitchell, F. L. Killogg, Fred Schutz of Stutsman county.

On request of Mr. Law the privileges of the floor were extended to Messrs. George Gordon, Moth Murphy and A. Fergeson, of Barnes.

On request of Mr. Piper the privileges of the floor were extended to Professor Ladd of Fargo.

On request of Mr. Sorley the privileges of the floor were extended to Mr. Pat Lone of Grand Forks.

On request of Mr. Burgum the privileges of the floor were extended to Mr. Walter Reed of Amenia.

Mr. Stevens moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 15, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Dr. Pratt of New York.

All members present except Messrs. Grant, Shirley, Treat and Wake, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-sixth day have carefully examined the same and recommend that the same be corrected as follows:

Page 4, line 6, strike out word "of."

Page 7, strike out lines 11 and 12.

Page 6, line 15, change word "county" to "counties."

Page 13, line 21, after the word "referred" insert the words "House Bill No. 26."

Page 20, line 17, change figures "46" to "45."

Page 20, line 18, change figures "15" to "16."

Page 20, line 21, strike out word "Aaker."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-seventh day have carefully examined the same and recommend that the same be corrected as follows:

Page 21, after line 2 at beginning of roll call insert word "Aaker."

Page 22, line 17, strike out word "day" where it appears and insert said word after the word "thirty-third" in said line,

Page 27, transfer lines 3 to 10 inclusive from said page to page 37 and insert same immediately after line 32 of said page.

Page 27, strike out lines 11 to 17 inclusive.

Page 38, immediately after line 18 insert the following: "Message from the senate. The following message was received from the senate:"

Page 39, line 35, strike out all after word "and" and insert the following: "When so amended recommend the same do pass."

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-eighth day have carefully examined the same and find it correct.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The speaker offered the following petition:

To the Honorable Legislative Body of the State of North Dakota:

We, the undersigned residents of the counties of Ransom and Cass, within said state of North Dakota, petition your honorable body to adopt such means as are necessary to communicate with the legislative assemblies of the states of South Dakota, Minnesota, and Iowa for the purpose of having a committee appointed by each of said states to confer together upon the advisability of passing and enacting, in each of said states, a uniform game law. It is our opinion that a law uniform in all of said states, would accomplish an end which it is impossible to reach by similar enactment of laws in one state. For the protection of

game in North Dakota, we need protection against the killing and exterminating of game in Minnesota, etc. The majority of the game coming from the northwest is raised within this state but killed without.

In such law we suggest the incorporation of a clause prohibiting the shooting of any kind excepting during the month of October, and prohibiting the running at large of dogs between the first of April and the first of August, during which time the majority of the game is nesting, and during which time the major portion of it is killed by dogs destroying the nests, as well as killing and eating the young birds.

W. C. McCONNELL, and
FORTY-NINE OTHERS,

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 15, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 40,

A bill for an act to promote the safety of employees and travelers upon railways by limiting the hours of service of employees thereon, and making the violation thereof a misdemeanor, providing a punishment therefor, requiring railroad commissioners to investigate the same and notify the attorney general thereof whose duty it shall be to prosecute the same.

Also,

Senate Bill No. 93,

A bill for an act entitled, "An act to amend section 746 of the Revised Codes of 1905, relating to the amount of population of cities and villages in which registration of voters is required."

Also,

Senate Bill No. 143,

A bill for an act to amend section 472 of the Revised Codes of 1905 relating to the boundaries and terms of court in the Fourth judicial district of the state of North Dakota.

Also,

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

Also,

Senate Bill No. 206,

A bill for an act defining a watercourse.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

I have the honor to transmit herewith

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,

Secretary.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 215,

A bill for an act to provide for the lighting of the executive mansion with electricity to be furnished by the electric light plant at the capitol.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Also,

House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of member of the national committee and relating to their nomination and the perpetuation of political parties.

Also,

House Bill No. 185,

A bill for an act to prohibit and punish the sale, offering for sale or bringing into the state for the purpose of selling, cigarettes, cigarette paper or substitute for the same, and to prohibit and punish the use of cigarettes, cigars or tobacco by persons under 18 years of age, and to prohibit and punish the carrying or having by any person under 18 years of age of any cigarettes, cigars or tobacco, and to prohibit and punish the harboring of persons under 18 years of age, or permitting them to gather or frequent any place or premises to indulge in the use of cigarettes, cigars or tobacco, and to repeal section 9078 of the Revised Codes of 1905.

And find the same correctly engrossed

O. S. AAKER,

Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

Concurrent Resolution introduced by Mr. Chapman, relating to making the upper Missouri and Yellowstone rivers navigable,

And find the same correctly enrolled.

THOS. H. PUGH,

Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 113,

A bill for an act to amend section 5511 of article 3 of chapter 50 of the Civil Code, relating to the loan of money.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 222,

A bill for an act to amend section 9328 of the Revised Codes of North Dakota for 1905, relating to malicious injury to freehold.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 194,

A bill for an act to provide for the better protection of life and property, by establishing a board of inspectors to inspect steam vessels and steam boilers, and provide for the licensing of engineers of steam engines, and masters and pilots of steamboats, on the inland waters of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 160,

A bill for an act fixing the mileage and fees to be paid to constables, police officers, city and village marshals for serving and executing warrants, subpoenas, commitments, and any other legal papers in criminal cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed. and
The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:
Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 224,

A bill for an act to repeal article 1 of chapter 30 of the Code of Civil Procedure relating to the foreclosure of mortgages by advertisement.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 95,

A bill for an act relating to boards of equalization.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely
postponed.

Also,

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised
Codes of the state of North Dakota.

Have had the same under consideration and recommend
that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised
Codes of the state of North Dakota.

Have had the same under consideration and recommend
that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 122,

A bill for an act to provide for a notice to be served on a mortgagor prior to the commencement of a foreclosure on real property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "persons, firm, co-partnership or corporation" where same appears in lines 3 and 4, 10 and 11, 17 and 18, 24 and 25, 46 and 47.

In line 12 strike out the word "ninety" and insert the word "thirty" in lieu thereof.

In line 21 strike out the following: "Firm or corporation."

Strike out the words "they or it" in lines 26 and 27, 34, 47 and 48.

In line 28 strike out the word "ninety" and substitute in lieu thereof the word "thirty."

In line 35 and in line 39 strike out "their or its;" in lines 47 and 48 strike out "they or it."

And when so amended recommend the same do pass.

J. A. SORLEY,

Chairman.

Also,

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "section" as it appears before "2, 3, 4 and 5" in said bill.

In line 13 of printed bill after the word family add the following: "And for the education of their minor children."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Have had the same under consideration and recommend that the same be amended as follows:

Add to section 1 the following: "Provided, the provisions of this section as herein amended shall be without force or effect as to all proceedings that may be instituted prior to October 1st, 1907."

Strike out all of section 2.

And when so amended recommend the same do pass

J. A. SORLEY,
Chairman.

Also,

Senate Bill No. 136,

A bill for an act to amend section 2625 of the Revised Codes of 1905, relative to fees for interpreters.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

Senate Bill No. 94,

A bill for an act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. Sorlie of Traill moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 207.

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 119,

A bill for an act to amend and re-enact section 1582 of the Revised Codes of North Dakota of 1905, relating to the redemption of real estate from tax sale.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on agriculture made the following report:
Mr. Speaker:

Your committee on agriculture to whom was referred
House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Have had the same under consideration and recommend that the same do pass.

A. R. SWENDSEID,
Chairman.

Mr. Swendseid moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 208,

A bill for an act entitled, an Act to amend section 1933, of the Revised Codes of 1905, relating to when stock may run at large.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. R. SWENDSEID,
Chairman.

Mr. Swendseid moved
That the report be adopted, .
Mr. Stevens moved as a substitute
That the report be referred to the committee of the whole not later than five days from date.
Which motion prevailed.

The chief clerk announced that the speaker was about to sign the concurrent resolution relating to the improvement of the upper Missouri.

And the speaker signed the same in the presence of the house.

The house returned to the fourth order of business and

Mr. Casey presented the following petitions:

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN:

We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A Bill for an Act to Amend Section 6295 of the Revised Codes of 1905, Providing for a Lien for Repairs of Personality."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

M. BUGENHEIM

And One Hundred Others.

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN:

We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A Bill for an Act to Amend Section 6295 of the Revised Codes of 1905, Providing for a Lien for Repairs of Personality."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

W. B. CLEMENTS

And Forty Others.

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN:

We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A Bill for an Act to Amend Section 6295 of the Revised Codes of 1905, Providing for a Lien for Repairs of Personality."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

JOHN BATHYAH

And One Hundred and Nineteen Others.

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN:

We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A Bill for an Act to Amend Section 6295 of the Revised Codes of 1905, Providing for a Lien for Repairs of Personality."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

J. L. PARISIAN

And Thirty Others.

To the Members of the Senate and the House of Representatives of the Legislature of the State of North Dakota:

GENTLEMEN:

We, the undersigned, residents and voters of the state of North Dakota, respectfully petition your honorable bodies to support and vote for a bill to be introduced at the coming session of the legislature, said bill being known as "A Bill for an Act to Amend Section 6295 of the Revised Codes of 1905, Providing for a Lien for Repairs of Personality."

That you will use every honorable means to support and secure the passage of said bill is urgently and respectfully requested.

P. G. DAVIDSON

And Five Hundred Others.

Mr. Stevens moved

That when the petitions are printed they be referred to the committee of the whole.

Which motion prevailed.

The committee on agriculture made the following report:
Mr. Speaker:

Your committee on agriculture to whom was referred House Bill No. 226,

A bill for an act to amend sections 1933, 1934, 1935, 1936, and 1937 of the Revised Code of the state of North Dakota, relating to stock running at large.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. R. SWENDSEID,

Chairman.

Mr. Swendseid moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

The committee on corporations, other than municipal, made the following report:

Mr. Speaker:

Your committee on corporations, other than municipal, to whom was referred

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of 1905, relating to corporations.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of section 1 of the printed bill strike out the word "eight" and insert in lieu thereof the word "each."

And when so amended recommend the same do pass.

O. L. JENSEN,
Chairman.

Mr. Stevens moved

That the rules be suspended and that the house act on the amendments as recommended by the committee.

Which motion prevailed.

Mr. Stevens moved

That the amendment as offered by the committee be adopted.

Which motion prevailed, and

The amendment was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Have had the same under consideration and recommend that the same be amended as follows:

In the heading of the bill insert before the words "Mr. Mockler" the words "Mr. Cunningham and."

Also that the word "thirty" in line 23 of the printed bill be stricken out and the word "ninety" inserted in lieu thereof.

And when so amended recommend the same do pass.

G. A. WHITE,
Chairman.

Also,

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. That section 4395 of the Revised Codes of 1905 be, and the same is hereby, amended to read as follows:

Section 4395. Maximum Coal Rate.] All railroad companies doing business as common carriers within the state of North Dakota shall not charge for the transportation of coal within said state a greater rate per ton than the following:

For the first ten miles or fractional part thereof, thirty cents per ton.

For any distance over ten miles and not to exceed fifteen miles, thirty-five cents per ton.

For any distance over fifteen miles and not to exceed twenty miles, thirty-seven cents per ton.

For any distance over twenty miles and not to exceed twenty-five miles, thirty-eight cents per ton.

For any distance over twenty-five miles and not to exceed thirty miles, forty cents per ton.

For any distance over thirty miles and not to exceed thirty-five miles, forty-one cents per ton.

For any distance over thirty-five miles and not to exceed forty miles, forty-three cents per ton.

For any distance over forty miles and not to exceed forty-five miles, forty-four cents per ton.

For any distance over forty-five miles and not to exceed fifty miles, forty-six cents per ton.

For any distance over fifty miles and not to exceed fifty-five miles, forty-seven cents per ton.

For any distance over fifty-five miles and not to exceed sixty miles, forty-nine cents per ton.

For any distance over sixty miles and not to exceed sixty-five miles, fifty cents per ton.

For any distance over sixty-five miles and not to exceed seventy miles, fifty-two cents per ton.

For any distance over seventy miles and not to exceed seventy-five miles, fifty-three cents per ton.

For any distance over seventy-five miles and not to exceed eighty miles, fifty-five cents per ton.

For any distance over eighty miles and not to exceed eighty-five miles, fifty-six cents per ton.

For any distance over eighty-five miles and not to exceed ninety miles, fifty-eight cents per ton.

For any distance over ninety miles and not to exceed ninety-five miles, fifty-nine cents per ton.

For any distance over ninety-five miles and not to exceed one hundred miles, sixty-one cents per ton.

For any distance over one hundred miles and not to exceed one hundred and five miles, sixty-two cents per ton.

For any distance over one hundred and five miles and not to exceed one hundred and ten miles, sixty-four cents per ton.

For any distance over one hundred and ten miles and not to exceed one hundred and fifteen miles, sixty-five cents per ton.

For any distance over one hundred and fifteen miles and not to exceed one hundred and twenty miles, sixty-seven cents per ton.

For any distance over one hundred and twenty miles and not to exceed one hundred and twenty-five miles, sixty-eight cents per ton.

For any distance over one hundred and twenty-five miles and not to exceed one hundred and thirty miles, sixty-nine cents per ton.

For any distance over one hundred and thirty miles and not to exceed one hundred and thirty-five miles, seventy-one cents per ton.

For any distance over one hundred and thirty-five miles and not to exceed one hundred and forty miles, seventy-two cents per ton.

For any distance over one hundred and forty miles and not to exceed one hundred and forty-five miles, seventy-four cents per ton.

For any distance over one hundred and forty-five miles and not to exceed one hundred and fifty miles, seventy-six cents per ton.

For any distance over one hundred and fifty miles and not to exceed one hundred and fifty-five miles, seventy-eight cents per ton.

For any distance over one hundred and fifty-five miles and not to exceed one hundred and sixty miles, eighty cents per ton.

For any distance over one hundred and sixty miles and not to exceed one hundred and sixty-five miles, eighty-two cents per ton.

For any distance over one hundred and sixty-five miles and not to exceed one hundred and seventy miles, eighty-four cents per ton.

For any distance over one hundred and seventy miles and not to exceed one hundred and seventy-five miles, eighty-six cents per ton.

For any distance over one hundred and seventy-five miles and not to exceed one hundred and eighty miles, eighty-seven cents per ton.

For any distance over one hundred and eighty miles and not to exceed one hundred and eighty-five miles, eighty-nine cents per ton.

For any distance over one hundred and eighty-five miles and not to exceed one hundred and ninety miles, ninety-one cents per ton.

For any distance over one hundred and ninety miles and not to exceed one hundred and ninety-five miles, ninety-three cents per ton.

For any distance over one hundred and ninety-five miles and not to exceed two hundred miles, ninety-five cents per ton.

For any distance over two hundred miles and not to exceed two hundred and ten miles, ninety-seven cents per ton.

For any distance over two hundred and ten miles and not to exceed two hundred and twenty miles, ninety-nine cents per ton.

For any distance over two hundred and twenty miles and not to exceed two hundred and thirty miles, one dollar and one cent per ton.

For any distance over two hundred and thirty miles and not to exceed two hundred and forty miles, one dollar and four cents per ton.

For any distance over two hundred and forty miles and not to exceed two hundred and fifty miles, one dollar and six cents per ton.

For any distance over two hundred and fifty miles and not to exceed two hundred and sixty miles, one dollar and nine cents per ton.

For any distance over two hundred and sixty miles and not to exceed two hundred and seventy miles, one dollar and eleven cents per ton.

For any distance over two hundred and seventy miles and not to exceed two hundred and eighty miles, one dollar and fourteen cents per ton.

For any distance over two hundred and eighty miles and not to exceed two hundred and ninety miles, one dollar and seventeen cents per ton.

For any distance over two hundred and ninety miles and not to exceed three hundred miles, one dollar and nineteen cents per ton.

For any distance over three hundred and ten miles and not to exceed three hundred and twenty miles, one dollar and twenty-four cents per ton.

For any distance over three hundred and twenty miles and not to exceed three hundred and thirty miles, one dollar and twenty-six cents per ton.

For any distance over three hundred and thirty miles and not to exceed three hundred and forty miles, one dollar and twenty-nine cents per ton.

For any distance over three hundred and forty miles and not to exceed three hundred and fifty miles, one dollar and thirty-one cents per ton.

For any distance over three hundred and fifty miles and not to exceed three hundred and sixty miles, one dollar and thirty-four cents per ton.

For any distance over three hundred and sixty miles and not to exceed three hundred and seventy miles, one dollar and thirty-six cents per ton.

For any distance over three hundred and seventy miles and not to exceed three hundred and eighty miles, one dollar and thirty-nine cents per ton.

For any distance over three hundred and eighty miles and not to exceed three hundred and ninety miles, one dollar and forty-one cents per ton.

For any distance over three hundred and ninety miles and not to exceed four hundred miles, one dollar and forty-four cents per ton.

For any distance over four hundred miles and not to exceed four hundred and ten miles, one dollar and forty-seven cents per ton.

For any distance over four hundred and ten miles and not to exceed four hundred and twenty miles, one dollar and forty-nine cents per ton.

For any distance over four hundred and twenty miles and not to exceed four hundred thirty miles, one dollar and fifty-one cents per ton.

For any distance over four hundred and thirty miles and not to exceed four hundred and forty miles, one dollar and fifty-four cents per ton.

For any distance over four hundred and forty miles and not to exceed four hundred and fifty miles, one dollar and fifty-six cents per ton.

For any distance over four hundred and fifty miles and not to exceed four hundred and sixty miles, one dollar and fifty-nine cents per ton.

For any distance over four hundred and sixty miles and not to exceed four hundred and seventy miles, one dollar and sixty-one cents per ton.

For any distance over four hundred and seventy miles and not to exceed four hundred and eighty miles, one dollar and sixty-four cents per ton.

For any distance over four hundred and eighty miles and not to exceed four hundred and ninety miles, one dollar and sixty-six cents per ton.

For any distance over four hundred and ninety miles and not to exceed five hundred miles, one dollar and sixty-nine cents per ton.

Provided, that the above mentioned rates shall be for carload lots only.

In case any shipment of coal under the provisions of this section must pass over two or more lines of railroad to reach its destination then an additional charge of two dollars and fifty cents per car for each transfer may be allowed and collected to cover cost of switching; and the total amount of freight and switching charges shall be divided among the several railroads concerned upon such basis as to them may seem just; provided, that if such railroads cannot agree among themselves upon an equitable division thereof, then the board of railroad commissioners shall decide the matter subject to appeal to the courts.

And when so amended recommend the same do pass.

G. A. WHITE,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Garden offered the following resolution and moved its adoption:

WHEREAS, There is a general complaint from almost every portion of the state that railroad facilities for the transportation of freight is inadequate,

and that many of the towns have suffered more or less on account of failure to supply cars, and complaint is also general that charges for the transportation of freight within the state is exorbitant, and that a demand is made that legislation should be enacted to remedy this evil. It is also reported that it has been stated by members of the board of railroad commissioners that the law is inadequate to give them proper power to remedy the evils above complained of; and

WHEREAS, The members of the board of railroad commissioners are severely criticised for the failure to perform their duties as such board; now, therefore, be it

Resolved, That the members of the board of railroad commissioners be, and they are hereby respectfully requested to appear before this house as early as possible for the purpose of informing this body what laws should be enacted in order to vest them with proper power in order to carry out the duties of their office, and to inform this body what steps have been taken looking toward the adjustment of freight rates in the state; and that at such time they be given an opportunity to answer or explain the unfavorable criticism of their actions. Be it further

Resolved, That the chief clerk is hereby directed to serve a copy of this resolution upon the members of said board, and to arrange with them for a time for their appearance before this house.

Which motion prevailed and

The resolution was adopted.

Mr. Sorley of Grand Forks moved

That the vote yesterday by which the report of the committee of the whole indefinitely postponing House Bill No. 26 was adopted be reconsidered.

Mr. Stevens moved as an amendment that the motion be laid upon the table.

Roll call demanded.

The question being on the substitute motion.

The roll was called and there were ayes 29, nays 62, absent and not voting 8, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Andrus
Brodie
Burdick
Burgum
Carter
Chapman
Collins
Crawford
Dean
Dibley

Messrs.—

Ganssle
Griffith
Haugen
Hosford
Johnson of Sargent
Jones of Ransom
Martin of Billings
McDowall
Moore
Nelson of Steele

Messrs.—

Pugh
Restemayer
Shannafelt
Simpson
Sorlie of Traill
Stavens
Stevens
Watts
White

Those who voted in the negative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake

Messrs.—

Hallick
Hanawalt
Hankinson
Hanson
Hemmingsen
Johnson of Pembina

Messrs.—

Purdon
Putnam
Rohs of Morton
Rose of Dickey
Schlenker
Sinclair

Messrs.—	Messrs.—	Messrs.—
Blegen	Johnson of Ward	Sorley of Grand Forks
Brotnov	Jones of Barnes	Steen
Casey	Law	Storey
Church	Martin of Morton	Streeter
Connolly	Mathews	Swendseid
Cunningham	Midgarden	Syvertson
Duncan	Miller	Thoreson
Elhard	Mockler	Tofsrud
Evans	Monek	Tufte
Freeman	Morin	Ueland
Garden	Nelson of Traill	Walker
Gibbens	Parkhill	Wedge
Giedt	Peake	Welford
Graham	Piper	Mr. Speaker
Halaas	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Jensen	Treat
Flamer	Murphy	Wake
Grant	Shirley	

Messrs. Grant, Shirley, Treat and Wake being excused.
Mr. Oveson passed.

So the substitute motion was lost.

The question being upon the original motion the same prevailed.

Mr. Sorley of Grand Forks moved

That House Bill No. 26 be referred to general orders.

Which motion prevailed.

Mr. Sorley of Grand Forks moved that House Bill No. 26 be made a special order for tomorrow at 2:30 p. m.

Which motion prevailed.

The speaker announced the committee as requested by Mr. Chapman's resolution as follows:

Messrs. Pugh, Streeter, and Martin of Billings.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Peak introduced

House Bill No. 238,

A bill for an act to amend section 4641 of the Revised Codes of 1905, relative to capitol stock of banking corporations.

Which was read the first and second times and Referred to the committee on banking.

Mr. Rose of Dickey introduced

House Bill No. 239,

A bill for an act appropriating \$2500 to the department of state for indexing and classifying valuable documents and records.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Chapman introduced

House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Burgum introduced

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Collins introduced

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Which was read the first and second times and

Referred to the committee on taxation and tax laws.

Mr. Adams introduced

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Thoreson introduced

House Bill No. 244,

A bill for an act to provide for a lien upon threshing machines by threshing laborers.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Rose of Dickey introduced

House Bill No. 245,

A bill for an act authorizing the railroad commissioners to declare the franchise and charter granted to railway companies, forfeited upon the removal by such railway companies of any litigated matter from the state court to the federal court.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Anderson of Grand Forks (by request) introduced

House Bill No. 246,

A bill for an act to amend sections 8040, 8041, 8042, 8043, 8044 and 8045 of the Revised Codes of 1905, relating to the probate of heirship.

Which was read the first and second times and
Referred to the committee on judiciary.

The committee on public health introduced

House Bill No. 247,

A bill for an act to preserve the public health by regulating and prohibiting the use of feeding of unwholesome food products to live stock or animals used or kept for consumption as a food and by prohibiting the sale, barter or disposition of the same and all dressed or infected meats or food products therefrom.

Which was read the first and second times and
Referred to the committee of the whole.

Mr. Giedt introduced

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Bernt Anderson introduced
House Bill No. 249,

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Bernt Anderson introduced
House Bill No. 250,

A bill for an act to amend section 2432 of the Revised Codes of North Dakota 1905 relating to the publishing of the proceedings of the board of county commissioners and designating the official newspapers for the county.

Which was read the first and second time, and
Referred to the committee on printing.

Mr. Miller introduced
House Bill No. 251,

A bill for an act to amend section 4073 of the Revised Codes of the state of North Dakota of the Revision of 1905 being chapter 78 of the Session Laws of 1899, relating to the granting of alimony in divorce cases.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Tofsrud introduced
House Bill No. 252,

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Tofsrud introduced
House Bill No. 253,

A bill for an act providing for the appointment of a state legislative reference statistician, prescribing his duties, fix-

ing his compensation, and making an appropriation therefor.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Gibbens introduced

House Bill No. 254,

A bill for an act amending section 926 of the Revised Codes of 1905 relating to the making of time deposits of the sinking fund, or other revenue of a city or school district.

Which was read the first and second times and
Referred to the committee on ways and means.

Mr. Sorlie of Traill introduced

House Bill No. 255,

A bill for an act to amend section 1031, 1032, 1033, 1034, 1035, 1036 and 1037 of chapter 9, article 25 of the Revised Code of 1905, relating to education and creating a new section providing that high schools may be classified as accredited schools of the university of North Dakota, and repealing all acts in conflict therewith.

Which was read the first and second times and
Referred to the committee on education.

Mr. Hanawalt introduced

House Bill No. 256,

A bill for an act entitled an act creating the office of district game wardens for the state of North Dakota and providing for the enforcement of the game laws thereof.

Which was read the first and second times, and
Referred to the committee of the whole.

Mr. Sorlie of Traill introduced

House Bill No. 257,

A bill for an act to authorize the purchase of tools and machinery for making roads.

Which was read the first and second times and
Referred to the committee on highways and bridges.

Mr. Steen introduced

House Bill No. 258,

A bill for an act providing for the creating of a fund by and in each of the several state banks of this state, for the

payment of unsecured deposits in any of such banks that may hereafter become insolvent.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Tofsrud introduced

House Bill No. 259,

A bill for an act to provide for the collection of delinquent personal taxes.

Which was read the first and second times and
Referred to the committee on taxation and tax laws.

Mr. Gibbens (by request) introduced

House Bill No. 260,

A bill for an act making an appropriation to defray the expense of prospecting the lands granted the state under the enabling act so as to reserve the lands bearing coal from sale, and providing for the employment of a mining engineer and other help.

Which was read the first and second times and
Referred to the committee on appropriations.

Mr. Dibley introduced

House Bill No. 261,

A bill for an act to amend sections 1311, 1312 and to repeal section 1315, Revised Codes of North Dakota, 1905, relating to county fairs.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Dibley introduced

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Which was read the first and second times, and
Referred to the committee on state affairs.

Mr. Brodie introduced

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of

reports regarding such statistics, and prescribing a penalty for violation.

Which was read the first and second times, and
Referred to the committee on coal lands and mining.

Mr. Purdon (by request) introduced
House Bill No. 264,

A bill for an act entitled "An act to amend sections 938, 939, 940, 942 and 943 of article 19 of chapter 9 of Political Code of state of North Dakota, Revised Codes of 1905, relating to school districts.

Which was read the first and second times, and
Referred to the committee on education.

Mr. Burgum introduced
House Bill No. 265,

A bill for an act to amend section 8314 of the Revised Codes of 1905, of the state of North Dakota.

Referred to the committee on judiciary.

SPECIAL ORDER.

Senate Bill No. 2,

A bill for an act to amend chapter 30 of the Political Code of the state of North Dakota Revised Code of 1905, relating to cities:

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 1, absent and not voting 15, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hanson	Rohs of Morton
Brotnov	Haugen	Rose of Dickey
Burdick	Hemmingsen	Schlenker
Burgum	Hosford	Shannafelt
Carter	Johnson of Pembina	Simpson
Casey	Johnson of Sargent	Sinclair
Chapman	Johnson of Ward	Sorley of Grand Forks
Church	Jones of Barnes	Sorlie of Traill
Collins	Jones of Ransom	Stavens
Connolly	Law	Stevens
Crawford	Martin of Morton	Storey

Messrs.—

Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Mathews
McDowall
Miller
Mockler
Monek
Moore
Morin
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Streeter
Swendseid
Syvertson
Thoreson
Tufte
Ueland
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Aaker
Brodie
Buttz
Grant
Hankinson

Messrs.—

Jensen
Martin of Billings
Murphy
Nelson of Steele
Shirley

Messrs.—

Steen
Tofsrud
Treat
Wake
Wedge

Mr. O. P. N. Anderson voting in the negative.

Mr. Midgarden passed.

Messrs. Grant, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Stevnes moved

That the vote by which Senate Bill No. 2 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

On request of Mr. Martin the privileges of the floor were extended to Mr. J. S. White of Stark county.

On request of Mr. Johnson of Ward the privileges of the floor were extended to Messrs. M. H. Schoberg, Erl Kelley, R. A. Nestos, E. G. Warren, P. H. Bankil, Champlin of Ward, Hunt, Colten, Kardill.

On request of Mr. Treat the privileges of the floor were extended to Mr. B. I. Keating of Fargo.

On request of Mr. Chapman the privileges of the floor were extended to Mr. James Kennedy of Fargo, N. D.

On request of Mr. Burgum the privileges of the floor were extended to Messrs. A. E. Wilkie of Arthur and Emil Beschtlar of Blanchard.

On request of Mr. Casey the privileges of the floor were extended to Mr. Napoleon Laftner of Grafton.

On request of Mr. Peake the privileges of the floor were extended to Mr. R. P. Irving of Sargent county.

On request of Mr. Tufte the privileges of the floor were

extended to Mr. O. G. Hanson, sheriff of Grand Forks county.

On request of Mr. Buttz the privileges of the floor were extended to Messrs. W. A. Scott of Fargo and Thomas Gilbertson of Ransom.

On request of Mr. Halaas the privileges of the floor were extended to Messrs. L. C. Green and C. K. Wing of Carrington.

There being no objection the privileges of the floor were extended to the following gentlemen:

J. A. Carrie, president, Leeds, N. D.; J. Mirehouse, secretary, Langdon, N. D.; Fred Turner, vice president, Dickinson, N. D.; J. H. Ross, Jamestown, N. D.; J. W. Hall, Minneapolis, Minn.; James Sperbeck, Mandan, N. D.; M. T. Brand, Kulm, N. D.; J. M. Mealender, Braddock, N. D.; Joe Schmidt, Buffalo, N. D.; Frank Ries, Erie, N. D.; William J. Stern, Casselton, N. D.; Alex McDonald, Langdon, N. D.; Gotlieb Schnieder, Taylor, N. D.; A. Bertch, Bismarck, N. D.; Leo Boetcher, Blanchard, N. D.; R. E. Wilkie, Arthur, N. D.; John Poeffer, Richardton, N. D.; Joe Verdormann, Bismarck, N. D.; Clint Smith, Fargo, N. D.; P. O. Fossum, Leeds, N. D.; P. G. Davidson, Valley City, N. D.; Christ Pederson, Dickinson, N. D.; F. W. Sappenfield, Jamestown, N. D.; Fred K. Shultz, Medina, N. D.; P. J. Aasen, Oakes, N. D.; Arne Fuliataalt, Grand Forks, N. D.; H. W. Lennon, Grand Forks, N. D.; Emerd & Maro, Grand Forks, N. D.; John Cumming, Grand Forks, N. D.; Otto Gottebig, Grand Forks, N. D.; Philip Mason, F. J. Roby, Mandan, N. D.; R. U. Austin, New Rockford, N. D.; O. H. Gottenborg, Anselm, N. D.; E. Jaeger, Hebron, N. D.; N. Lafeur, Grafton, N. D.; Rob Mickeljohn, Langdon, N. D.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Pugh to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of person-
alty.

And recommend that the same be amended as follows:

Strike out the words "persons, firm or co-partnership or corporation" where same appears in lines 3 and 4, 10 and 11, 17 and 18, 24 and 25, 46 and 47.

In line 12 strike out the word "ninety" and insert the word "thirty" in lieu thereof.

In line 21 strike out the following: "Firm or corporation."

Strike out the words "they or it" in lines 26 and 27, 34, 47 and 48.

In line 28 strike out the word "ninety" and substitute in lieu thereof the word "thirty."

In line 35 and in line 39 strike out "their or its."

In lines 47 and 48 strike out "they or it."

THOS. H. PUGH,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Sorley of Grand Forks moved

That the house take a recess until 10 o'clock tomorrow morning.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow morning.

P. D. NORTON,
Chief Clerk.

THIRTY-NINTH DAY--AFTER RECESS

AND

FORTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,

February 16, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

THIRD READING OF HOUSE BILLS.

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 83, nays 3, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie

Messrs.—

Graham
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Eaugen
Hemmingsen

Messrs.—

Piper
Plath
Pugh
Purdon
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson

Messrs.—

Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Hosford
Jensen
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Nelson of Steele
Nelson of Traill
Oveson
Peake

Messrs.—

Sinclair
Sorley of Grand Forks
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Connolly

Messrs.—

Morin

Messrs.—

Sorlie of Traill

Absent and not voting:

Messrs.—

Casey
Collins
Giedt
Grant
Johnson of Sargent

Messrs.—

Martin of Billings
Murphy
Parkhill
Putnam
Shannafelt

Messrs.—

Shirley
Streeter
Treat
Wake

Messrs. Grant, Shirley, Treat and Wake being excused.
So the bill passed and the title was agreed to.

House Bill No. 142,

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays 2, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov

Messrs.—

Giedt
Graham
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey

Messrs.—

Burdick
Burgum
Buttz
Carter
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Hosford
Jensen
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Walker
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Casey
Collins
Grant
Johnson of Sargent

Messrs.—

Martin of Billings
Murphy
Shannafelt
Shirley

Messrs.—

Streeter
Treat
Wake

Messrs. Stevens and Watts voting in the negative.

Messrs. Grant, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Bernt Anderson moved

That the vote by which House Bill No. 14 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 74, nays 14, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Graham
Griffith
Halaas
Hanawalt
Hankinson

Messrs.—

Plath
Purdon
Putnam
Restemayer
Rohs of Morton

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanson	Rose of Dickey
Blake	Hemmingsen	Schlenker
Blegen	Hosford	Simpson
Brodie	Jensen	Sinclair
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Ward	Stavens
Burgum	Jones of Barnes	Steen
Buttz	Jones of Ransom	Stevens
Chapman	Law	Storey
Connolly	Martin of Morton	Swendseid
Crawford	Mathews	Syverson
Cunningham	McDowall	Thoreson
Duncan	Midgarden	Tofsrud
Elhard	Miller	Ueland
Evans	Mockler	Walker
Freeman	Monek	Watts
Ganssle	Morin	Wedge
Garden	Nelson of Trail	White
Gibbens	Parkhill	Mr. Speaker
Giedt	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Hallick	Pugh
Church	Haugen	Sorley of Grand Forks
Dean	Moore	Tufte
Dibley	Nelson of Steele	Welford
Flamer	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	Martin of Billings	Shirley
Collins	Murphy	Streeter
Grant	Oveson	Treat
Johnson of Sargent	Shannafelt	Wake

Messrs. Grant, Shirley, Treat and Wake being excused.
So the bill passed and the title was agreed to.

Mr. Mockler moved

That the vote by which House Bill No. 15 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 132,

A bill for an act amending section 26 of the Political Codes of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 84, nays 1, absent and not voting 14, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Parkhill
Adams	Griffith	Peake
Anderson, Grand F'rks	Halaas	Piper
Anderson, O. P. N.	Hallick	Plath
Andrus	Hanawalt	Pugh
Blegen	Hankinson	Purdon
Brodie	Hanson	Putnam
Brotnov	Haugen	Restemayer
Burdick	Hemmingsen	Rohs of Morton
Burgum	Hosford	Rose of Dickey
Carter	Johnson of Pembina	Schlenker
Casey	Johnson of Ward	Sinclair
Chapman	Jones of Barnes	Sorley of Grand Forks
Church	Jones of Ransom	Sorlie of Traill
Connolly	Law	Stavens
Crawford	Martin of Morton	Steen
Cunningham	Martin of Billings	Stevens
Dean	Mathews	Storey
Dibley	McDowall	Swendseid
Duncan	Midgarden	Syverson
Elhard	Miller	Tofsrud
Evans	Mockler	Tufte
Flamer	Monek	Ueland
Freeman	Moore	Walker
Ganssle	Morin	Watts
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	White
Giedt	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	Murphy	Thoreson
Buttz	Shannafelt	Treat
Collins	Simpson	Wake
Grant	Shirley	Welford
Johnson of Sargent	Streeter	

Mr. Jensen voted in the negative.

Bernt Anderson present and did not vote.

Messrs. Grant, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Cunningham moved

That the vote by which House Bill No. 132 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 54, nays 27, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Garden	Parkhill
Anderson, Grand F'rks	Graham	Peake
Andrus	Halaas	Piper
Blake	Hallick	Pugh
Brodie	Hankinson	Purdon
Brotnov	Haugen	Restemayer
Burgum	Hemmingsen	Sorley of Grand Forks
Carter	Hosford	Sorlie of Traill
Chapman	Johnson of Ward	Stavens
Church	Jones of Barnes	Storey
Connolly	Jones of Ransom	Swendseid
Cunningham	Law	Syverson
Dean	McDowall	Thoreson
Dibley	Möckler	Tufte
Duncan	Moore	Wake
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	White
Ganssle	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Morin
Anderson Bernt	Hanawalt	Plath
Anderson, O. P. N.	Hanson	Putnam
Blegen	Jensen	Rohs of Morton
Burdick	Martin of Morton	Steen
Crawford	Martin of Billings	Stevens
Elhard	Mathews	Tofsrud
Evans	Miller	Ueland
Gibbens	Monek	Wedge

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Midgarden	Sinclair
Casey	Murphy	Shirley
Collins	Rose of Dickey	Streeter
Grant	Schlenker	Treat
Griffith	Shannafelt	Walker
Johnson of Pembina	Simpson	Welford
Johnson of Sargent		

Messrs. Grant, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which House Bill No. 137 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 135,

A bill for an act to amend section 1216 of the Revised Codes of 1895, being section 1531 of the Revised Codes of 1905 of the State of North Dakota, relating to the state board of equalization.

Was read the third time.

Mr. Sorley of Grand Forks asked unanimous consent to offer an amendment.

There being no objection Mr. Sorley of Grand Forks offered the following amendment and moved its adoption:

In line 6 of the printed bill strike out the letter "a" and insert in lieu thereof the word "the."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 59, nays 30, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Casey
Church
Connolly
Dean
Duncan
Freeman
Garden
Gibbens
Graham
Griffith
Halaas

Messrs.—

Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Law
Martin of Morton
Midgarden
Miller
Moore
Morin
Nelson of Steele
Nelson of Traill
Parkhill
Peake
Piper

Messrs.—

Plath
Pugh
Purdon
Putnam
Rohs of Morton
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Walker
Wedge
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Andrus
Brodie
Burdick
Carter
Chapman
Crawford
Cunningham
Dibley
Elhard
Evans

Messrs.—

Flamer
Ganssle
Giedt
Hankinson
Johnson of Ward
Jones of Ransom
Martin of Billings
Mathews
McDowall
Mockler

Messrs.—

Oveson
Restemayer
Rose of Dickey
Schlenker
Simpson
Sinclair
Stevens
Watts
Welford
White

Absent and not voting:

Messrs.—

Buttz
Collins
Grant
Johnson of Sargent

Messrs.—

Monek
Murphy
Shannafelt
Shirley

Messrs.—

Streeter
Treat
Wake

Messrs. Grant, Shirley, Treat and Wake being excused.

Mr. Oveson explained his vote.

So the bill passed and the title was agreed to.

Mr. Aaker moved

That the vote by which House Bill No. 135 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 7, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hankinson	Restemayer
Blake	Hanson	Schlenker
Blegen	Haugen	Sinclair
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Ward	Storey
Casey	Jones of Barnes	Swendseid
Church	Jones of Ransom	Syverson
Crawford	Law	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Tufte
Dibley	Mockler	Ueland
Duncan	Monek	Walker
Elhard	Moore	Watts
Flamer	Nelson of Steele	Wedge
Freeman	Nelson of Traill	Welford
Ganssle	Oveson	White
Garden	Peake	Mr. Speaker
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Morin	Rohs of Morton
Martin of Morton	Parkhill	Simpson
Mathews		

Absent and not voting:

Messrs.—

Andrus
Brodie
Chapman
Collins
Evans
Giedt
Grant

Messrs.—

Griffith
Johnson of Sargent
Martin of Billings
Miller
Murphy
Putnam
Rose of Dickey

Messrs.—

Shannafelt
Shirley
Stevens
Streeter
Treat
Wake

Messrs. Grant, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 120 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 16, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Grant, Shannafelt, Shirley, Treat and Wake who were excused.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Also,

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Also,

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Also,

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Also,

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 224,

A bill for an act to repeal article 1 of chapter 30 of the Code of Civil Procedure relating to the foreclosure of mortgages by advertisement.

Also,

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of 1905, relating to corporations.

Also,

House Bill No. 119,

A bill for an act to amend and re-enact section 1582 of the Revised Codes of North Dakota of 1905, relating to the redemption of real estate from tax sale.

And find the same correctly engrossed.

O. S. AAKER,

Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined

House Bill No 46,

A bill for an act amending section 1116 of the Revised

Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on warehouses, grain and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses, grain and grain grading to whom was referred

House Bill No. 184,

A bill for an act to amend section 2245 of the Revised Codes of 1905, relating to the license of grain warehouses.

Have had the same under consideration and recommend that the same be amended as follows:

In the title add to the word "section" the letter "s."

After "2245" add "and 2246."

In lines 10 and 11 of printed bill strike out the word "twenty" and in lieu thereof insert the word "ten."

And to the printed bill add the following:

"SECTION 2. That section 2246 of the Revised Codes of North Dakota of 1905 be amended so as to read as follows:

"Section 2246. License To Be Conspicuously Posted. Penalty.] The license thus obtained shall be posted in a conspicuous place in the public warehouse so licensed. Every such license shall expire on the first day of August of each odd numbered year, and no license shall run for a longer period than two years. Any person or association, who shall transact the business of public warehouseman without first procuring a license as herein provided, shall, on conviction, be fined in a sum not less than twenty-five dollars for each and every day such business is carried on."

And when so amended recommend the same do pass.

R. G. PIPER,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 16, 1907.

Mr Speaker:

I have the honor to transmit herewith

Senate Bill No. 192,

A bill for an act regulating disbursements by life insurance companies.

Also,

Senate Bill No. 165,

A bill for an act to amend section 1934 of the Revised Code of 1905, relating to county commissioners vote on abolishing provisions of article 9, Revised Code of 1905, entitled Herd Law. How conducted) and repealing sections 1935, 1936 and 1937 Revised Code of 1905.

Also,

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

Also,

Senate Bill No. 216,

A bill for an act to amend sections 1287 and 1288 of the Revised Codes of 1905 relative to insurance of public buildings.

Also,

Senate Bill No. 114,

A bill for an act entitled, "An act to amend section 10,381 of the Revised Code of 1905, relating to the manner of disposing of the product of the state binder twine plant."

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

The committee on warehouses, grain and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses, grain and grain grading to whom was referred

House Bill No. 62,

A bill for an act requiring all persons, firms associations, corporations, or trustees operating managing and conducting public warehouses run by gasoline, steam or horse power within this state to install therein suitable, sufficient and modern machinery for cleaning of grain offered for sale or storage at any such Warehouse, requiring them to clean the same upon demand and regulating charges therefor.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "warehouses in title insert the words "run by gasoline, steam or horse power."

In section 1, line 5, of printed bill, after the word "warehouses" insert the words "run by gasoline, steam or horse power."

In section 1, line 9, of printed bill, after the word "storage" insert the following: "Provided, however, that such seller making this demand shall permit all others in line behind him offering grain for sale, satisfied with the dockage offered by the buyer, to unload before him."

In section 1, line 13, of printed bill, after the word "bushel" insert the following: "Except flax which shall be not to exceed two cents per bushel."

And when so amended recommend the same do pass

R. G. PIPER,
Chairman.

The chief clerk announced that the speaker was about to sign

House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

And the speaker signed the same in the presence of the house.

UNFINISHED BUSINESS.

Mr. Haugen moved

That the house do concur in the following senate concurrent resolution relating to the internal revenue department to issue liquor licenses in states where prohibition laws prevail.

CONCURRENT RESOLUTION.

Indorsing that certain bill pending before congress forbidding the internal revenue department to issue liquor licenses in states where prohibition laws prevail, to anyone without proof that the applicant has complied with the laws of the state wherein the applicant resides. Be it

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, That the legislative assembly of this state heartily approve and indorse said bill. Be it further

Resolved, That we recommend the senators and representatives in congress of the state of North Dakota to support the said bill and use their utmost endeavors to secure the passage of the same.

Resolved, further, That the secretary of state be, and he hereby is, directed to transmit copies of this resolution to the senate and house of representatives of the United States, and to the members of said bodies representing this state.

Mr. Streeter moved as a substitute

That the motion be laid upon the table.

Which substitute motion was lost.

The question being upon the original motion the same prevailed, and

The concurrent resolution was adopted.

INTRODUCTION, FIRST AND SECOND READING OF
HOUSE BILLS.

Mr. Mathews introduced

House Bill No. 266,

A bill for an act to amend section 1310 of the Revised Code of 1905, relating to the law for aid of county fairs.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Johnson of Pembina introduced

House Bill No. 267,

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the Revised Codes of 1905, relating to the removal of county seats."

Which was read the first and second times and

Referred to the committee on counties and county boundaries.

Mr. Piper introduced

House Bill No. 268,

A bill for an act to amend and reenact section 2584 of the Revised Code of 1905, relating to fees that clerks of the district courts shall charge and collect, and repealing section 2585 of the Revised Code of 1905.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Peake introduced

House Bill No. 269,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Blegen introduced

House Bill No. 270,

A bill for an act to secure district libraries and appropriate money therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Burdick introduced

House Bill No. 271,

A bill for an act to amend section 6266 of chapter 82 of the Revised Codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Halaas introduced

House Bill No. 272,

A bill for an act authorizing and empowering mechanics, watch makers, gold smiths, and repairers to sell articles and implements to reimburse them for labor or material expended on such articles and implements; and regulating the disposition of the proceeds of such sale.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Ganssle introduced

House Bill No. 273,

A bill for an act to amend sections 808, 810 and 818, of the Revised Codes of the state of North Dakota.

Which was read the first and second times and

Referred to the committee on education.

Mr. Giedt introduced

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Which was read the first and second times and

Referred to the committee on municipal corporations.

SPECIAL ORDER.
GENERAL ORDERS.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of House Bill No. 26.

Which motion prevailed, and

The house resolved itself into a committee of the whole. The speaker called Mr. Peake to the chair.

When the committee rose it submitted the following report:

Mr Speaker:

The committee of the whole have had under consideration

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

And recommend that the same be amended as follows:

In line 10, after the word "laws," in the printed bill, strike out the following: "And amendments to the constitution."

Also the following in lines 18, 19 and 20 on page 2: "But the same constitutional amendment shall not be proposed oftener than once in ten years."

Also the following in lines 68 and 69, on page 4: "Constitutional amendment or other."

And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Ueland moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Ueland moved

That the rules be suspended and that House Bill No. 26 be considered engrossed and that the bill be placed on its third reading and final passage.

Which motion prevailed, and

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 17, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Adams	Hallick	Piper
Anderson, Grand F'rks	Hanawalt	Plath
Anderson, Bernt	Hankinson	Pugh
Anderson, O. P. N.	Hanson	Purdon
Andrus	Haugen	Putnam
Blake	Hemmingsen	Rohs of Morton
Blegen	Jensen	Rose of Dickey
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Church	Law	Steen
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dibley	Midgarden	Syverson
Duncan	Miller	Thoreson
Evans	Mockler	Tofsrud
Flamer	Moore	Tufte
Freeman	Murphy	Ueland
Garden	Nelson of Steele	Walker
Gibbens	Nelson of Traill	Wedge
Graham	Oveson	Welford
Griffith	Parkhill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burdick	Elhard	Simpson
Buttz	Ganssle	Sinclair
Carter	Giedt	Stevens
Chapman	Hosford	Watts
Crawford	McDowall	White
Dean	Schlenker	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Monek	Shirley
Grant	Morin	Treat
Johnson of Ward	Restemayer	Wake
Jones of Ransom	Shannafelt	

Messrs. Grant, Shannafelt, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 26 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House bill No. 22,

A bill for an act to regulate the marriage of persons hav-

ing been divorced and the issuing of marriage licenses to such persons.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 4, absent and not voting 22, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Plath
Adams	Giedt	Pugh
Anderson, Grand F'rks	Graham	Purdon
Anderson, Bernt	Griffith	Putnam
Anderson, O. P. N.	Halaas	Restemayer
Andrus	Hanawalt	Rose of Dickey
Blake	Hanson	Schlenker
Blegen	Haugen	Sinclair
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Carter	Jensen	Stavens
Casey	Johnson of Pembina	Steen
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Collins	Jones of Ransom	Swendseid
Connolly	Law	Thoreson
Cunningham	Martin of Morton	Tofsrud
Dean	Moore	Tufte
Dibley	Morin	Walker
Duncan	Nelson of Steele	Watts
Elhard	Nelson of Traill	Wedge
Flamer	Oveson	Welford
Freeman	Peake	White
Ganssle	Piper	Mr. Speaker
Garden		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Mockler	Stevens
Miller		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Shannafelt
Brotnov	Mathews	Simpson
Crawford	McDowall	Shirley
Evans	Monek	Syverson
Grant	Murphy	Treat
Hallick	Parkhill	Ueland
Hankinson	Rohs of Morton	Wake
Johnson of Sargent		

Mr. Midgarden present and not voting.

Messrs. Grant, Shannafelt, Shirley, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 22 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 48, nays 40, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Murphy
Anderson, Grand F'rks	Hallick	Peake
Blake	Hankinson	Piper
Burdick	Hanson	Pugh
Buttz	Haugen	Purdon
Carter	Jensen	Rose of Dickey
Casey	Johnson of Pembina	Schlenker
Chapman	Johnson of Ward	Sinclair
Church	Jones of Ransom	Sorley of Grand Forks
Connolly	Law	Sorlie of Traill
Crawford	Martin of Billings	Stevens
Dean	Mathews	Swendseid
Elhard	McDowall	Tufte
Evans	Mockler	Wedge
Freeman	Monek	White
Ganssle	Moore	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Anderson, Bernt	Halaas	Ueland
Anderson, O. P. N.	Hanawalt	Walker
Blegen	Hemmingsen	Watts
Brotnov	Hosford	Putnam
Burgum	Jones of Barnes	Restemayer
Collins	Martin of Morton	Stavens
Cunningham	Midgarden	Steen
Dibley	Miller	Storey
Duncan	Nelson of Steele	Streeter
Flamer	Nelson of Traill	Syverson
Garden	Oveson	Thoreson
Gibbens	Parkhill	Tofsrud
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Morin	Shirley
Brodie	Rohs of Morton	Treat
Grant	Shannafelt	Wake
Johnson of Sargent	Simpson	Welford

Messrs. Grant, Shannafelt, Shirley, Treat and Wake being excused.

So the bill was lost.

Mr. Streeter moved

That the vote by which House Bill No. 206 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion was lost.

Mr. Buttz gave notice that on Monday at 2:30 p. m. he would move to reconsider the vote by which House Bill No. 206 was lost.

Mr. Johnson moved

That House Bill No. 213 be referred back to the committee on judiciary

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion was lost.

Mr. Miller moved

That House Bill No. 53 be referred to the joint committees on judiciary and state affairs.

Mr. Stevens moved as a substitute

That House Bill No. 53 be placed on its third reading and final passage.

Which motion prevailed, and

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 56, nays 28, absent and not voting 14, present and not voting 2.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Bernt
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Casey
Chapman
Church

Messrs.—

Graham
Griffith
Hanawalt
Hanson
Hemmingsen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton

Messrs.—

Piper
Plath
Putnam
Restemayer
Sinclair
Sorley of Grand Forks
Stavens
Steen
Stevens
Storey

Messrs.—	Messrs.—	Messrs.—
Crawford	Mathews	Streeter
Cunningham	McDowall	Syvertson
Dibley	Mockler	Thoreson
Duncan	Monek	Tofsrud
Evans	Nelson of Steele	Ueland
Freeman	Nelson of Traill	Watts
Garden	Parkhill	Welford
Gibbens	Peake	Mr. Speaker
Giedt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hallick	Moore
Anderson, Grand F'rks	Hankinson	Pugh
Anderson, O. P. N.	Haugen	Rose of Dickey
Andrus	Hosford	Sorlie of Traill
Carter	Jensen	Swendseid
Collins	Johnson of Pembina	Tufte
Dean	Jones of Ransom	Walker
Elhard	Martin of Billings	Wedge
Flamer	Miller	White
Ganssle		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Murphy	Simpson
Connolly	Purdon	Shirley
Grant	Rohs of Morton	Treat
Halaas	Schlenker	Wake
Morin	Shannafelt	

Messrs. Midgarden and Oveson present and not voting.

So the bill passed and the title was agreed to.

Mr. Carter explained his vote.

Mr. Martin of Billings explained his vote.

Mr. Anderson of Grand Forks explained his vote.

Mr. Stevens moved

That the vote by which House Bill No. 53 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

On request of Mr. Putnam the privileges of the floor were extended to Mr. R. N. Austin of New Rockford.

On request of Mr. Wedge the privileges of the floor were extended to Mr. Downing of Velva, N. Y.

On request of Mr. Hankinson the privileges of the floor were extended to Mr. Charles E. Wolf of Wahpeton.

On request of Mr. Evans the privileges of the floor were extended to Mr. Chas. Peterson of Dickinson, N. D.

Mr. Miller moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 18, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Church, Halaas, Rohs of Morton, Simpson, Treat and Wake.

Messrs. Church, Treat and Wake were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 18, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate bill No. 23.

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or any agent or representative thereof to issue, give or offer any **free ticket, free pass, telegraph or telephone frank, express frank, or other privilege** to any person or persons at rates

less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, **telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express or other privilege at rates less than charged the public, and prescribing penalties therefor.**

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully

J. W. FOLEY,
Secretary.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the governor.

GOVERNOR'S OFFICE, NORTH DAKOTA,
BISMARCK, February 16, 1907.

To the House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved and filed with the secretary of state House Bill No 46,

A bill for an act amending section 1116 of the Revised Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Very respectfully,

, JOHN BURKE,
Governor.

The chief clerk announced that the speaker was about to sign a

Concurrent Resolution relating to liquor licenses in prohibition states.

Also,

Senate Bill No. 29,

A bill for an act to amend section 7252 of the Revised Code of 1905, relating to examination of an adverse party.

And the speaker signed the same in the presence of the house.

There being no objection the house took up the concurrent resolution relating to drainage.

Mr. Burgum moved

That the house do concur in senate concurrent resolution relating to drainage and the Red River.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report.

Mr. Speaker:

Your committee on revision and correction of the journal of the thirty-ninth day have carefully examined the same and recommend that the same be corrected as follows:

Page 18 strike out line 29.

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the fortieth day have carefully examined the same and recommend that the same be corrected as follows:

Page 22, line 23, change figures "93" to "53."

Page 22, line 14 from foot of page, change figures "55" to "56;" and figures "29" to "28;" and insert name "Chapman" in roll call on said page.

Page 23, line 18, strike out name "Chapman."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on judiciary made the following majority report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 4,

A bill for an act relating to the qualifications of all state, county and city elective officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

MINORITY REPORT.

Mr Speaker :

Your committee on judiciary to whom was referred
Senate Bill No. 4,

A bill for an act relating to the qualifications of all state,
county and city election officers.

Have had the same under consideration and make this a
minority report that the same do pass.

J. A. SORLEY,
T. E. TUFTE,
G. A. WHITE,
BERNT ANDERSON
R. G. PIPER,
O. J. SORLIE.

There being no objection the two reports were referred
to general orders.

The committee on drainage made the following report :

Mr. Speaker :

Your committee on drainage to whom was referred

Concurrent resolution in regard to the drainage of the
Red River valley and the regulation of the flow of the Red
river.

Have had the same under consideration and recommend
that the same do pass.

T. O. BURGUM,
Chairman.

Mr. Burgum moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following
report :

Your committee on ways and means to whom was re-
ferred

House Bill No. 214,

A bill for an act empowering boards of county commis-
sioners to dispose of property which any county may have
acquired through purchase, forfeiture or operation of law.

Have had the same under consideration and recommend
that the same do pass.

K. O. BROTNOW
Chairman.

Mr. Brotnov moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same be amended as follows:

By adding after the word "highway" the following: "With the consent of the board of township supervisors thereto."

And when so amended recommend the same do pass.

T. O. BURGUM,

Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred:

House Bill No. 101,

A bill for an act requiring each county officer who receives from any county a stated salary for his services, to keep a record of the fees received by him, as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

K. O. BROTN OV,

Chairman.

Mr. Brotnov moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxation and tax laws made the following report:

Mr. Speaker:

Your committee on taxation and tax laws to whom was referred

House Bill No. 236,

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of section 1 of printed bill after the word "flax" strike out the word "three-eighths" and insert in lieu thereof "one-half."

In line 4 of section 1 of printed bill after the word "wheat" strike out "one-fourth" and insert in lieu thereof "three-eighths."

Amend by changing section 3 to section 5 and section 4 to section 6.

After section 2 amend by adding section 3, to read as follows: "It shall be the duty of the county auditor to extend taxes on the tax lists upon all grain mentioned in section 1 of this act as shown by the assessment roll, at the rate fixed by said section."

Amend by adding section 4, to read as follows: "All sums received or collected by the county treasurer under the provisions of this act shall be apportioned and distributed pro rata among the several funds: state, county, school, township and municipal, in proportion to the rates of taxation in taxing districts for which the same is collected."

And when so amended recommend the same do pass.

O. T. TOFSRUD

Chairman.

The committee on railroads made the following report:

Mr. Speaker:

You committee on railroads to whom was referred

House Bill No. 163,

A bill for an act to amend sections 4305 and 4306 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the printed bill strike out the words "all its sidings" and insert in lieu thereof the following: "Every platted or incorporated town or village on its line of railroad where there is a United States postoffice and stores, shops or other places of business, and."

In line 6 strike out the word "and;" and all of lines 7 and 8.

At the end of line 11 add the following: "To be collected by the state's attorney of the county where the town or village is situated, in a civil action."

Also strike out all of the emergency clause.

And when so amended recommend the same do pass.

G. A. WHITE,

Chairman.

Also,

House Bill No. 186,

A bill for an act to amend section 4323 of the Revised Codes of North Dakota for 1905, relating to transfer facilities at track crossings at grade of common carriers, and determining how the expenses of such track crossings shall be paid.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 10,

A bill for an act requiring railroad companies to report all wrecks and casualties wherein any person is injured or killed, to the railroad commissioners.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Code of 1905.

Have had the same under consideration and recommend that the same do pass.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of 1905 of North Dakota, relating to highways on county and township lines.

Have had the same under consideration and recommend that the same do pass.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 257,

A bill for an act to authorize the purchase of tools and machinery for making roads.

Have had the same under consideration and by majority recommend that the same do pass.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Miller moved that the vote by which

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Was lost be reconsidered.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That House Bill No. 206 be made a special order for tomorrow at 3 o'clock.

Which motion prevailed.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House bill No. 26,
Concurrent resolution for an amendment to the constitution,
providing for the initiative and referendum.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

There being no objection the house returned to the fourth order of business, and

Mr. Nelson of Traill presented the following petition:

MEMBER OF LEGISLATURE, Bismarck, N. D.

DEAR SIR: A copy of House Bill 88, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few, if any, threshermen could secure two endorsers to a bond of \$3,000.00 whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the grocerymen and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise; but legislation of this kind is harmful and would practically ruin our business and we, your constituents, will ever pray.

MATT J. VON BUEDEN,
And Twenty-Five Others.

There being no objection the house took a recess for five minutes.

AFTER RECESS.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

The special committee on weights and measures introduced

House Bill No. 275,

A bill for an act designating the sheriff of each county

inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Which was read the first and second times, and
Referred to the committee of the whole.

Mr. Garden (by request) introduced
House Bill No. 276,

A bill for an act to provide uniform practice in civil and criminal actions in county court with increased jurisdiction thereby repealing sections 8292, 8295, 8309, 8310, 8311 of the Revised Code of the state of North Dakota of 1905, and thereby amending chapter 9 of the Probate Code of the Revised Codes of the state of North Dakota of 1905 by adding thereto the following provisions:

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Restemayer introduced
House Bill No. 277,

A bill for an act entitled: "An act to amend sections 2366, 2367, 2368 and 2369 of the Revised Codes of 1905, relating to the removal of county seats."

Which was read the first and second times and

Referred to the committee on counties and county boundaries.

The committee on apportionment introduced
House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Which was read the first and second times and
Referred to the committee of the whole.

There being no objection the house proceeded to the thirteenth order of business.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Was read the first and second times and

Referred to the committee on elections and privileges.

Also,

Senate Bill No. 144,

A bill for an act to amend section 949 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 168,

A bill for an act to amend sections 977 and 998 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 151,

A bill for an act entitled "An act to prohibit unfair commercial discrimination between different sections, communities, or localities, or unfair competition, and providing penalties therefor.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 45,

A bill for an act defining and providing for the assessment of express companies.

Was read the first and second times, and

Referred to the committee on taxation and tax laws.

Also,

Senate Bill No. 78,

A bill for an act to prohibit the soliciting of orders for the future delivery without this state of intoxicating liquors to be transported into this state, to be used or sold in violation of the laws thereof, and providing a penalty for its violation.

Was read the first and second time, and

Referred to the committee on temperance.

Also,

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 165,

A bill for an act to amend section 1934 of the Revised

Code of 1905, relating to county commissioners vote on abolishing provisions of article 9, Revised Code of 1905, entitled Herd Law. How conducted) and repealing sections 1935, 1936 and 1937 Revised Code of 1905.

Was read the first and second time, and

Referred to the committee on agriculture.

Also,

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

Was read the first and second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 192,

A bill for an act regulating disbursements by life insurance companies.

Was read the first and second time, and

Referred to the committee on insurance.

Also,

Senate Bill No. 216,

A bill for an act to amend sections 1287 and 1288 of the Revised Codes of 1905 relative to insurance of public buildings.

Was read the first and second time, and

Referred to the committee on insurance.

Also,

Senate Bill No. 114,

A bill for an act entitled, "An act to amend section 10,381 of the Revised Code of 1905, relating to the manner of disposing of the product of the state binder twine plant."

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 40,

A bill for an act to promote the safety of employees and travelers upon railways by limiting the hours of service of employees thereon, and making the violation thereof a misdemeanor, providing a punishment therefor, requiring railroad commissioners to investigate the same and notify the attorney general thereof whose duty it shall be to prosecute the same.

Was read the first and second times, and
Referred to the committee on railroads.

Also,

Senate Bill No. 206,

A bill for an act defining a watercourse.

Was read the first and second times, and

Referred to the committee on drainage.

Also,

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 143,

A bill for an act to amend section 472 of the Revised Codes of 1905 relating to the boundaries and terms of court in the Fourth judicial district of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 93,

A bill for an act entitled, "An act to amend section 746 of the Revised Codes of 1905, relating to the amount of population of cities and villages in which registration of voters is required."

Was read the first and second times, and

Referred to the committee on elections and privileges.

The house returned to the tenth order of business.

Mr. Duncan introduced

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Which was read the first and second times and

Referred to the committee on school and public lands.

Mr. Hankinson introduced

House Bill No. 280,

A bill for an act to amend sections 9455, 9457, 9458, 9460, and 9461 of article 1, chapter 75 of the Penal Code, Revised

Codes of 1905, relating to game, and to reenact such sections as thus amended.

Which was read the first and second times and
Referred to the committee on game and game laws.

Mr. Sorley of Grand Forks moved

That all bills in general orders relating to the game laws be referred back to the committee on game and game laws.

Which motion prevailed.

Mr. Johnson of Ward introduced

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Carter introduced

House Bill No. 282,

A bill for an act to amend and re-enact section 2330, Revised Codes of 1905, relating to the formation of new counties.

Which was read the first and second times and

Referred to the committee on counties and county boundaries.

Mr. Thoreson introduced

House Bill No. 283,

A bill for an act to amend section 408, of the Revised Codes of 1905, relating to the bonding of certain officers.

Which was read the first and second times and

Referred to the committee on ways and means.

The committee on taxation and tax laws introduced

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for the assessment of their property and the taxation of the same.

Which was read the first and second times and

Referred to the committee of the whole.

Mr. Stavens (by request) introduced

House Bill No. 285,

A bill for an act to make certain kinds of slander criminal.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Sorlie of Traill (by request) introduced
House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Which was read the first and second times, and

Referred to the committee on judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 0, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Peake
Anderson, Grand F'rks	Hallick	Piper
Anderson, Bernt	Hanawalt	Plath
Andrus	Hankinson	Pugh
Blake	Hanson	Purdon
Blegen	Haugen	Putnam
Brodie	Hemmingsen	Restemayer
Brotnov	Hosford	Rose of Dickey
Burdick	Jensen	Schlenker
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Shirley
Casey	Jones of Barnes	Stavens
Chapman	Jones of Ransom	Steen
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Syvertson
Dibley	McDowall	Thoreson
Duncan	Midgarden	Tofsrud
Elhard	Miller	Tufte
Flamer	Mockler	Ueland
Freeman	Monek	Walker
Ganssle	Moore	Watts
Garden	Murphy	Wedge
Gibbens	Nelson of Steele	Welford
Giedt	Nelson of Traill	White
Graham	Oveson	Mr. Speaker
Grant	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Sinclair
Anderson, O. P. N.	Morin	Stevens
Church	Rohs of Morton	Treat
Dean	Shannafelt	Wake
Evans	Simpson	

Messrs. Church, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Grand Forks moved

That the vote by which House Bill No. 168 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objection the house returned to the fifth order of business.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 183,

A bill for an act to amend section 6 of chapter 141 of the laws of 1905, being section 2218 of the Revised Codes of 1905, in relation to the inspection of oil,

Having had the same under consideration recommend that the same be amended as follows:

Amend the title of said act so that the same shall read as follows:
"A Bill for an Act to Amend Chapter 24 of the Laws of 1905, Being Sections 2213, 2218 and 2226, in Relation to Oil Inspection."
Strike out all after the enacting clause and substitute therefor the following:

"SECTION 1. Governor Appoints Inspector. Duties.] The governor shall, by and with the advice of the senate, appoint a suitable person, a citizen of this state who is not engaged directly or indirectly in the manufacturing, dealing, or vending of illuminating oils, whose title shall be 'state inspector of oils,' and whose term of office shall be two years, commencing on the first Tuesday in April succeeding his appointment, or until his successor shall be appointed and shall qualify. Said inspector may appoint not more than eight deputy inspectors, whose salary shall be as hereinafter stated. The said state inspector of oils and his deputies shall have the right and it shall be his duty to enter into or upon the premises of any manufacturer, dealer or vendor of illuminating oils or gasoline at any time for the inspection of such oils or gasoline, and all receptacles in which such oils are or may be contained. Such inspector shall receive an annual salary of two thousand, five hundred dollars payable monthly, which shall be in full for all his services; and each of said deputies shall receive an annual salary of not less than one hundred dollars nor more than three hundred dollars, in the discretion of the inspector of oils. He shall make and file with the state auditor monthly statements; under oath, of all fees collected under the provisions of this article, and pay the amount so collected to the state treasurer on or before the tenth day of each month, taking the state treasurer's receipt therefor, and file such receipt with the state auditor on or before the 15th day of each month; the money so received by the treasurer to be kept in a separate fund to be known as the 'oil inspection fund.'

"Sec. 6. Methods of Inspection.] It shall be the duty of the oil inspector or his deputies to examine and test or to have examined and tested within this state all oil and gasoline offered for sale by any manufacturer, vendor, or by any person or corporation in the state, as follows:

"For oil, all illuminating oil, a product of petroleum shall be inspected as follows:

"First. The color shall be water white when viewed by transmitted light through a layer of oil four inches long.

"Second. It shall not give a flash test below 105 degrees Fahrenheit, closed Elliott cup test; and it shall not have a fire test below 125 degrees Fahrenheit, tested in the Elliott cup open.

"Third. It shall not contain water nor tar-like matter, nor shall it contain more than a trace of any sulphur compound.

"Fourth. When 100 cubic centimeters of the oil are distilled from a side-necked distilling tank $2\frac{3}{4}$ inches in diameter, and with a neck $2\frac{1}{2}$ inches in length to the side-necked tube, said flask to be covered with a closely-adhering jacket of asbestos paper, shall not give more than 6 per cent of oil distilling at 310 degrees Fahrenheit; nor shall such oils contain more than 4 per cent of residum after being distilled at a temperature of 570 degrees Fahrenheit.

"Fifth. It shall not, in a photometric test, when burning under normal conditions, show a fall of more than 25 per cent in candle power in a test for not less than six nor more than eight hours duration.

"Sixth. The state oil inspector or his deputies shall draw at least two samples of each oil inspected, one quart sample of which shall be fully labeled, sealed, and reserved for the chemical and photometric test, and the said inspector or his deputies shall with the other sample determine the color, flash test, and the fire test, and if the said oil conforms to the requirements of this test he shall mark upon the package, barrel or cask containing the same 'passed,' giving the date of inspection, the name of the inspector or deputy; but such test shall not legalize the sale of said oil in the state of North Dakota unless the same conforms with the requirements of clauses 3, 4 and 5 of this section.

"If, upon examination and testing, such oil shall not meet the requirements as to color, flash and fire test, such oil shall be marked upon the package, barrel or cask 'rejected for illuminating purposes,' giving the date of such examination and the official signature of the inspector or deputy making such inspection. And it shall be unlawful for any person, persons or corporations to sell any such oil rejected for illuminating purposes for consumption in this state.

"Seventh. For gasoline: All gasoline offered for sale within this state shall be tested for gravity. All gasoline which shall test 68 degrees Baume or higher shall be branded or labeled 'approved for sale,' and shall be colored red, and it shall be unlawful for any firm or corporation to offer for sale or sell any other grade for stove or lighting purposes than 68 degrees (Baume) Eastern oil or 63 degrees (Baume) Western oil. All gasoline shall be so labeled or branded as to show its true gravity. All gasoline of whatever gravity shall be branded or labeled 'unsafe for illuminating purposes.' But this clause shall in no way be construed as preventing the sale of said gasoline for mechanical purposes, provided it has been inspected or labeled so as to show its true gravity. Provided, further, that every tank, barrel, cask or receptacle in which gasoline shall be shipped into this state shall be truly, plainly and conspicuously branded or labeled.

"Eighth. The sample of oil reserved for chemical and photometric tests shall be immediately forwarded to the agricultural college and state university who are authorized to make and report to the state oil inspector the results of each examination or tests upon the said oils as submitted, and when the said tests clearly show the oil to be in violation of the provisions of this section this fact together with full data shall be certified to the attorney general.

"Ninth. Any citizen of the state may send to the agricultural college or state university for chemical and photometric tests any sample of oil which is believed to be in violation of this act, and the said sample, when taken and shipped in accordance with the printed instructions which shall be furnished by the agricultural college or state university, shall be examined

and reported upon, and the said analyses shall be included in the biennial report to the governor.

"SEC. 9. It shall be the duty of the state inspector of oils or any of his deputies, or any person having cognizance of the violations of the provisions of this act, to forthwith make complaint to the attorney general of the offense alleged to have been committed, against the person or persons so offending, and it is hereby made the duty of the attorney general to represent and prosecute on behalf of the people of the state all cases of offenses arising under the provisions of this act. Any inspector who willfully refuses or neglects to carry out the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be removed from office.

"SEC. 10. Penalty.] It shall be unlawful for any person, firm or corporation, whether vendor, dealer or manufacturer, to use, sell, attempt to sell or deliver to any person in this state any of the illuminating oils or gasoline hereinbefore mentioned until the same shall have been inspected and passed according to the provisions of this act. It shall be unlawful for any person to falsely brand any package, barrel or cask or falsely certify to any tank car containing illuminating oil or gasoline for the purpose of deceiving the purchaser or inspector thereof in any manner as to the contents of the same. It shall be unlawful for any person to sell or dispose of any empty barrel, cask or package that has been used for illuminating oils or gasoline, and has been branded in accordance with the provisions of this act, before thoroughly canceling, removing or effacing the inspection brand on the same. It shall be unlawful for any person, firm or corporation to adulterate with paraffine or any substance, for the purpose of sale or use of any of the illuminating oils and gasoline specified in this act, in such manner as to render them unsafe for use; nor shall any person use, sell or offer for sale for illuminating purposes any oil or any gasoline which is in violation of any of the provisions of section 6 of this act. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to a penalty not exceeding one thousand dollars fine or imprisonment in the state penitentiary not exceeding one year, or both fine and imprisonment.

"SEC. 14. Ports of Entry.] All illuminating oils and gasoline when shipped into this state shall be inspected on entering the state, the following points being designated as ports of entry: Fairmount, Wahpeton, Fargo, Grand Forks, Hankinson, Oakes, Ellendale, Linton and Ardock. For making inspections other than at said points the inspector or his deputy shall be entitled, in addition to the fee prescribed, to actual traveling expenses, such expenses to be paid by the party for whom the inspection was made."

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

THIRD READING OF HOUSE BILLS.

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 71, nays 13, absent and not voting 13, present and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Pugh
Adams	Griffith	Putnam
Anderson, Grand F'rks	Hankinson	Restemayer
Anderson, Bernt	Haugen	Rose of Dickey
Anderson, O. P. N.	Hemmingsen	Schlenker
Blake	Hosford	Sorley of Grand Forks
Blegen	Jensen	Sorlie of Traill
Brotnov	Johnson of Pembina	Shirley
Burdick	Johnson of Sargent	Stavens
Burgum	Johnson of Ward	Steen
Carter	Jones of Barnes	Storey
Casey	Jones of Ransom	Swendseid
Chapman	Law	Svvertson
Collins	McDowall	Thoreson
Connolly	Midgarden	Tofsrud
Crawford	Miller	Tufte
Cunningham	Moore	Ueland
Dibley	Murphy	Walker
Duncan	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Garden	Peake	White
Gibbens	Piper	Mr. Speaker
Graham	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Monek
Elhard	Martin of Billings	Sinclair
Giedt	Mathews	Stevens
Hanawalt	Mockler	Streeter
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Morin	Shannafelt
Dean	Parkhill	Simpson
Evans	Purdon	Treat
Halaas	Rohs of Morton	Wake
Hallick		

Messrs. Church, Treat and Wake being excused.

Messrs. Andrus, Buttz and Flamer passed.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 190 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code

of 1899, defining what shall be considered and held to be intoxicating liquors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 5, absent and not voting 16, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Adams	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Hallick	Pugh
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Schlenker
Brotnov	Hosford	Sinclair
Burdick	Jensen	Sorley of Grand Forks
Purgum	Johnson of Pembina	Sorlie of Traill
Buttz	Johnson of Sargent	Shirley
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Collins	Jones of Ransom	Stevens
Crawford	Law	Storey
Cunningham	McDowall	Swendseid
Dibley	Midgarden	Svvertson
Duncan	Miller	Thoreson
Elhard	Mockler	Tofsrud
Flamer	Monek	Tufte
Freeman	Moore	Ueland
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	White
Giedt	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Watts
Martin of Morton	Streeter	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Mathews	Shannafelt
Connolly	Morin	Simpson
Dean	Parkhill	Treat
Evans	Purdon	Wake
Halaas	Rohs of Morton	Welford
Hanawalt		

Messrs. Church, Treat and Wake being excused.

Mr. Chapman passed.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 199 passed be reconsidered and the motion to reconsider be laid upon the table.

House Bill No. 191,

A bill for an act to amend section 9371 of the Revised Codes of 1905.

Was read the third time.

Mr. Sorley of Grand Forks moved

That the further consideration of the bill be referred to the committee on judiciary.

Which motion prevailed, and

The bill was so referred.

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Was read the third time.

Mr. Stevens asked unanimous consent to offer an amendment.

There being no objection Mr. Stevens offered the following amendment and moved its adoption:

Strike out the word "section" and figures "11" preceding the emergency clause.

Which motion prevailed.

The question being on the final passage of the bill as amended;

The roll was called and there were ayes 74, nays 12, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Putnam
Anderson, O. P. N.	Haugen	Restemayer
Andrus	Hemmingsen	Schlenker
Blake	Hosford	Sinclair
Blegen	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Sargent	Shirley
Burgum	Johnson of Ward	Stavens
Buttz	Jones of Barnes	Steen
Carter	Jones of Ransom	Storey
Casey	Law	Swendseid
Chapman	McDowall	Syverson
Collins	Midgarden	Thoreson
Crawford	Miller	Tofsrud
Cunningham	Monek	Tufte
Dibley	Moore	Ueland
Duncan	Murphy	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens	Peake	Mr. Speaker
Graham	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hanson	Rose of Dickey
Elhard	Martin of Morton	Stevens
Ganssle	Martin of Billings	Streeter
Giedt	Mathews	Wedge

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Connolly	Mockler	Simpson
Dean	Morin	Church
Evans	Parkhill	Treat
Halaas	Rohs of Morton	Wake
Hallick	Shannafelt	

Messrs. Church, Treat and Wake being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 195 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Tufte to the chair.

House Bill No. 215,

A bill for an act to provide for the lighting of the execu-

tive mansion with electricity to be furnished by the electric light plant at the capitol.

Was read the third time.

Mr. Buttz moved

That the further consideration of the bill be referred back to the committee on state affairs.

Which motion prevailed.

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Was read the third time.

The speaker in the chair.

Mr. Miller moved

That the further consideration of the bill be referred to the committee on education.

Which motion prevailed.

On request of Mr. Moore the privileges of the floor were extended to Mr. John G. Plath of Davenport.

On request of Mr. Tufte the privileges of the floor were extended to Hon. P. M. Korsmo and A. O. Trageton of Grand Forks county.

On request of Mr. Duncan the privileges of the floor were extended to Mr. A. G. F. Voight, and also Messrs. Aaker and Dresser of Minnewaukan.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 19, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The president presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Church, Shannafelt, Dibley, Morin and Halaas, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-second day have carefully examined the same and find it correct.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Code of 1905.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of 1905 of North Dakota, relating to highways on county and township lines.

Also,

House Bill No. 257,

A bill for an act to authorize the purchase of tools and machinery for making roads.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr Speaker:

Your committee on enrolled bills respectfully report that
House Bill No 46,

A bill for an act amending section 1116 of the Revised

Codes of 1895, being section 1410 of the Revised Codes of 1905, relating to the duties of road overseers.

Was delivered to the governor at 3 o'clock p. m. February 16, 1907 for his approval.

THOS. H. PUGH,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 19, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 41,

A concurrent resolution, amending the constitution of the state of North Dakota, relating to the legislative department and providing for direct legislation and reference of laws.

Also,

Senate Bill No. 152,

A bill for an act to provide for the safe keeping of documents and bonds required to be deposited in the office of the county auditor.

Also,

Senate Bill No. 161,

A bill for an act to amend section 1484 of the Political Code Revised Codes of North Dakota 1905.

Also,

Senate Bill No. 42,

A bill for an act to regulate the consolidation and reinsurance of domestic insurance companies transacting business of life, accident or health insurance.

Also,

Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Also,

Senate Bill No. 120,

A bill for an act to repeal chapter 59 of the Session Laws of 1897 being section 5334 of the Revised Codes of 1905 in relation to the method of proof of written instruments and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Also,

Senate Bill No. 104,

A bill for an act making it unlawful for any corporation to use any of its money or property or any thing of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or any thing of value and prescribing penalties therefor.

Also,

Senate Bill No. 188,

A bill for an act to amend section 9371 of the Revised Codes of 1905, of the state of North Dakota, providing for the state's attorney to prosecute persons for unlawful dealing in intoxicating liquors and bring suits upon bonds or undertakings forfeited and to recover fines, and penalties, and the creation of a special fund.

Also,

Senate Bill No. 59,

A bill for an act requiring an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Also,

Senate Bill No. 179,

A bill for an act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Also,

Senate Bill No. 160,

A bill for an act to amend section 182 of the Revised Codes of 1905.

Also,

Senate Bill No. 174,

A bill for an act to prohibit the issuance of non-participating policies by certain life insurance companies.

Also,

Senate Bill No. 175,

A bill for an act defining the status of persons soliciting life insurance.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

I have the honor to return herewith

House bill No. 32,

A bill for an act entitled an act to amend section 4064 the revised code of 1899, being section 5511 of the revised code of 1905. Usury defined.

Which the senate has indefinitely postponed.

Also,

I have the honor to transmit herewith the following

MEMORIAL.

WHEREAS, Numerous "meandered lakes and navigable streams" located in North Dakota, by reason of higher altitudes or of obstructions made by silt and other materials, thus holding back the water, are made to overflow and annually flood and keep in a state of moisture many thousands of acres of swamp or semi-swamp lands; and

WHEREAS, By virtue of large spring freshets many of such lakes, streams or rivers overflow and inundate vast areas of land; and

WHEREAS, In order to drain such lands it becomes necessary to ditch into, alter or destroy such lakes, streams or rivers by which means the water can be conducted away and thereby drain such named lakes, fitting them for tillage or agricultural use; and

WHEREAS, By such method of drainage the wealth of the people of North Dakota can be increased millions of dollars, and the taxable property of the state can be equally multiplied; now, therefore, the legislative assembly of North Dakota hereby passes a joint memorial or resolution to the congress of the United States of America, praying that body to pass a law giving to each respective state of the union the right to ditch into, alter, modify or destroy, if need be, part or the whole of any "meandered lakes or navigable streams," if the same shall be necessary to drain any swamp or semi-swamp lands within their respective borders. Provided, said drainage, alterations or modifications of such lakes, streams or rivers shall be done under the sanction of, or in co-operation with, national commissioners or agents; who shall be appointed or detailed, under law, for such purposes, therefore, be it

Resolved by the Legislative Assembly of North Dakota, That engrossed copies of the joint memorial be at once sent to the North Dakota senators and representatives in congress and they be instructed to draw up and introduce a bill in congress that shall cover in a clear and comprehensive manner the different features or phases herein named of the question of drainage in the different states of the nation.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully

J. W. FOLEY,
Secretary.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 209,

A bill for an act relating to appeals from justices' courts in civil actions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 251,

A bill for an act to amend section 4073 of the Revised Codes of the state of North Dakota of the Revision of 1905 being chapter 78 of the Session Laws of 1899, relating to the granting of alimony in divorce cases.

Have had the same under consideration and recommend that the same be amended as follows:

In line 18 of printed bill before the words "all property" insert the following: "For the purpose of this act;" change the capital "A" in "all" in said line 18 to a small "a;" strike out section 3.

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 231,

A concurrent resolution.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the resolution was indefinitely postponed.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 130,

A bill for an act to amend section 8366 of the Revised Codes of 1905 of the state of North Dakota, relating to service by publication.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 271,

A bill for an act to amend section 6266 of chapter 82 of the Revised Codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House bill No. 30,

A bill for an act entitled an act to repeal section 4680 of the revised codes of 1899, being section 6130 of the code of 1905. Liens on future interest.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House bill No. 29,

A bill for an act entitled an act prohibiting any probate judge or any clerk of any probate court from acting as counsel or attorney, and prohibiting any such clerk or the law partner of any judge of probate or such clerk from appearing or practicing as attorney in any matter or proceeding before such probate court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 124,

A bill for an act to amend section 8403 of the Revised Codes of 1905 of the state of North Dakota relating to how summons shall be served.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:
Mr. Speaker:

Your committee on education to whom was referred
House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on schools and public lands made the following report:

Mr. Speaker:

Your committee on schools and public lands to whom was referred

Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, and all acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the schools, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, second subdivision, after the word "state," insert the following: "And to persons who are actual residents thereof;" and in

the same subdivision striking out the word "five" and inserting in lieu thereof the word "three."

And when so amended recommend the same do pass.

O. J. SORLIE,
Chairman.

Also,
House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. Sorlie of Traill moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 14 and 15 on page 2 of the printed bill.

Strike out the figures "5,000.00" in line 16 on page 2 of the printed bill and insert in lieu thereof the figures "3,500.00."

Strike out the figures "\$9,235.00" in line 17 on page 2 of the printed bill and insert in lieu thereof the figures "\$4,235.00."

Strike out all of section 2 on page 2 of the printed bill and insert in lieu thereof the following:

"SEC. 2. That the board of trustees of said soldiers' home are authorized to expend, in addition to the amounts hereinbefore appropriated from the interest and income funds of said institution for purposes hereinafter mentioned, the following amounts:

"For re-construction of sewer and plumbing, \$3,000.00.

"For remodeling dormitory, \$500.00.

"For completing administration building, \$1,500.00.

"Provided, that the expenditure herein authorized shall not be made until there is a sufficient surplus in the interest and income fund over and above the amount required for maintenance to pay for the work so ordered."

And when so amended recommend the same do pass

AMASA P. PEAKE,
Chairman.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Also,

House Bill No. 145,

A bill for an act to appropriate money in aid of the horticultural society.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1, page 1, of the printed bill, strike out the words "one thousand" and insert in lieu thereof the words "five hundred."

Strike out all of lines 10, 11, 12, 13 and 14 on page 1 of the printed bill and insert in lieu thereof the following: "The appropriation herein mentioned shall be expended under the direction of the commissioner of agriculture who shall publish and distribute information furnished by the live stock association to an extent not exceeding this appropriation."

And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Carter, by request, introduced

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Treat introduced

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Jones of Ransom introduced

House Bill No. 289,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Which was read the first and second times, and

Referred to the committee of the whole.

Mr. Grant introduced

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which the change of venue is obtained.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Law introduced

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Which was read the first and second times, and

Referred to the committee on labor.

Mr. Blake, by request, introduced
House Bill No. 292,

A bill for an act to amend section 9202 of chapter 50 of the Revised Codes of 1905 for the state of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Blake, by request, introduced
House Bill No. 293,

A bill for an act to amend section 9395 of chapter 65 of the Revised Codes of 1905 for the state of North Dakota relating to the manner of payment of reward for the arrest and conviction of violators of the prohibition law.

Which was read the first and second times and
Referred to the committee on temperance.

Mr. Blegen introduced
House Bill No. 294,

A bill for an act to amend section 2602 of the Revised Codes of North Dakota, 1905, relating to fees of sheriffs.

Which was read the first and second time, and
Referred to the committee on state affairs.

Mr. Blake by request introduced
House Bill No. 295,

A bill for an act to provide for payment of per diem of the trustees of the state university of the state of North Dakota and prescribing what actual and necessary expenses shall be and for what time per diem shall be allowed.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Blegen introduced
House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Which was read the first and second times and
Referred to the committee on education.

THIRD READING OF HOUSE BILLS.

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 80, nays 9, absent and not voting 9, present and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Purdon
Adams	Graham	Putnam
Anderson, Grand F'rks	Grant	Restemayer
Anderson, Bernt	Griffith	Rohs of Morton
Anderson, O. P. N.	Hallick	Rose of Dickey
Andrus	Hanawalt	Schlenker
Blake	Haugen	Simpson
Blegen	Hosford	Sinclair
Brodie	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Sargent	Shirley
Burgum	Johnson of Ward	Stavens
Buttz	Jones of Barnes	Storey
Casey	Law	Streeter
Chapman	Martin of Billings	Swendseid
Collins	Mathews	Syverson
Connolly	McDowall	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Murphy	Walker
Flamer	Peake	Wedge
Freeman	Piper	Welford
Ganssle	Plath	Mr. Speaker
Gibbens	Pugh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Hemmingsen	Nelson of Steele
Garden	Jones of Ransom	Nelson of Traill
Hankinson	Martin of Morton	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Hanson	Shannafelt
Dibley	Morin	Steen
Halaas	Parkhill	Watts

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Messrs. Oveson and Stevens passed.

So the bill passed and the title was agreed to.

Mr. Pugh moved

That the vote by which House Bill No. 99 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objection the house returned to the sixth order of business.

The special joint committee on the subject of reciprocal demurrage made the following report:

Mr. Speaker:

Your special joint committee appointed to consider reciprocal demurrage, beg leave to report that they have had that subject under consideration, and find that the great necessity for a law governing the same is due to the shortage of cars and the unfair and unequal distribution of cars for the shipment of grain and live stock, more especially grain.

We also find that nearly all shipments of grain and live stock are made from points within this state to points in other states, thus bringing the whole subject largely into the realm of inter-state commerce and beyond the power of this state to control.

We are of the opinion that a law of local application can be enacted that will aid to some extent, in the handling of grain and live stock and that will be of great benefit to shippers of other classes of local freight within the state.

For the reasons stated, after considering all bills before this legislature on that subject, and various measures of the same kind from other states, we came to the conclusion that House Bill No. 153 is best adapted to serve our purpose.

We therefore recommend that said House Bill No. 153 be amended as follows:

In line 24, page 3, of the printed bill, change the word "twenty" to "ten."

In line 25, same page, change the word "twelve" to "twenty-four."

In line 2, section 3, after the word "for" add the word "carload."

In line 3 of the same section change the word "shipment" to "shipments."

In lines 6 and 12 of said section change the word "forty-eight" to "seventy-two."

In line 13, section 4, change "twenty" to "ten."

In line 14, same section, change "twelve" to "twenty-four."

In line 2, section 5, change the word "conclude" to "include."

And when so amended recommend the same do pass.

G. A. WHITE,
Chairman.

SPECIAL ORDER

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Was read the third time.

There being no objection

Mr. Buttz offered the following amendments and moved their adoption:

By inserting after the word "and," in line 2, the words "to-wit in addition thereto" and also strike out in line 3 the words "away from his home" and insert in lieu thereof "when outside of his district," so as to make the bill read: "necessary traveling expenses and in addition thereto two dollars a day on his hotel expenses when outside of his district in the discharge of the duties pertaining to his office."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 78, nays 17, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Collins
Connolly
Crawford
Cunningham
Duncan
Elhard

Messrs.—

Giedt
Graham
Grant
Griffith
Hanawalt
Hankinson
Haugen
Hemmingsen
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
McDowall
Miller
Mockler
Monek
Moore

Messrs.—

Plath
Pugh
Purdon
Putnam
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Treat
Tufte

Messrs.—	Messrs.—	Messrs.—
Evans	Murphy	Ueland
Flamer	Nelson of Traill	Wake
Freeman	Parkhill	Walker
Garden	Peake	White
Gibbens	Piper	Mr. Speaker

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Brotnov	Johnson of Pembina	Steen
Dean	Martin of Morton	Tofsrud
Ganssle	Midgarden	Watts
Hallick	Nelson of Steele	Wedge
Hanson	Oveson	Welford
Hosford	Restemayer	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Church	Halaas	Shannafelt
Dibley	Morin	

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 206 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 9, present and not voting 1.

Those who voted in the affirmative were :

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Adams	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Hallick	Pugh
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Schlenker
Brodie	Hemmingsen	Simpson
Brotnov	Hosford	Sinclair

Messrs.—

Burdick
Burgum
Buttz
Carter
Casey
Chapman
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Church
Dibley
Halaas

Messrs.—

Moore
Morin
Rose of Dickey

Messrs.—

Shannafelt
Syvertson
Watts

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Putnam passed.

So the bill passed and the title was agreed to.

Mr. Stavens moved

That the vote by which House Bill No. 201 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 224,

A bill for an act to repeal article 1 of chapter 30 of the Code of Civil Procedure relating to the foreclosure of mortgages by advertisement.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 7, absent and not voting 13, excused 1.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Griffith
Hallick
Hanawalt
Hankinson

Messrs.—

Pugh
Purdon
Restemayer
Rose of Dickey

Messrs.—

Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Carter
Casey
Chapman
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Giedt
Graham
Grant

Messrs.—

Hanson
Haugen
Hemmingsen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Moore
Murphy
Nelson of Steele
Nelson of Traill
Parkhill
Piper
Plath

Messrs.—

Schlenker
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tuft
Ueland
Wake
Walker
Watts
Wedge
Welford
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Hosford
Jensen
Martin of Morton

Messrs.—

Monek
Putnam

Messrs.—

Rohs of Morton
White

Absent and not voting:

Messrs.—

Burgum
Buttz
Church
Dibley
Garden

Messrs.—

Gibbens
Halaas
Morin
Oveson

Messrs.—

Peake
Shannafelt
Simpson
Syvertson

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Aaker was excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which House Bill No. 224 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

Senate Concurrent Resolution relating to the drainage of the Red River.

And the speaker signed the same in the presence of the house.

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 83, nays none, absent and not voting 16, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Purdon
Adams	Hanawalt	Putnam
Anderson, Grand F'rks	Hanson	Restemayer
Anderson, Bernt	Hemmingsen	Rohs of Morton
Anderson, O. P. N.	Jensen	Rose of Dickey
Andrus	Johnson of Pembina	Schlenker
Blake	Johnson of Sargent	Sinclair
Blegen	Johnson of Ward	Sorley of Grand Forks
Brodie	Jones of Parnes	Sorlie of Traill
Brotnov	Jones of Ransom	Shirley
Burdick	Law	Stavens
Burgum	Martin of Morton	Stevens
Carter	Martin of Billings	Storey
Chapman	Mathews	Streeter
Collins	McDowall	Swendseid
Connolly	Midgarden	Thoreson
Crawford	Miller	Tofsrud
Cunningham	Mockler	Treat
Duncan	Monek	Tufte
Evans	Moore	Ueland
Flamer	Nelson of Steele	Wake
Freeman	Nelson of Traill	Walker
Ganssle	Oveson	Watts
Garden	Parkhill	Wedge
Gibbens	Peake	Welford
Graham	Piper	White
Grant	Plath	Mr. Speaker
Griffith	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Halaas	Murphy
Casey	Hankinson	Shannafelt
Church	Haugen	Simpson
Dibley	Hosford	Steen
Elhard	Morin	Syverson
Giedt		

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Dean present and not voting.

So the bill passed and the title was agreed to.

Mr. Shirley moved

That the vote by which House Bill No. 176 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 85, nays 1, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Adams	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Putnam
Anderson, O. P. N.	Hanson	Restemayer
Andrus	Hemmingsen	Rohs of Morton
Blake	Hosford	Rose of Dickey
Blegen	Jensen	Schlenker
Brodie	Johnson of Pembina	Simpson
Brotnov	Johnson of Sargent	Sinclair
Burdick	Johnson of Ward	Sorley of Grand Forks
Burgum	Jones of Barnes	Shirley
Buttz	Jones of Ransom	Stavens
Carter	Law	Stevens
Casey	Martin of Morton	Storey
Chapman	Martin of Billings	Streeter
Collins	Mathews	Swendseid
Crawford	McDowall	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Peake	White
Graham	Piper	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Halaas	Shannafelt
Connolly	Haugen	Steen
Dibley	Morin	Svvertson
Flamer	Murphy	Wake
Giedt	Parkhill	

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Sorlie of Traill voted in the negative.

Mr. Shirley moved

That the title be amended as follows:

By adding at the end of title as follows: "1905 relating to the removal of action."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Shirley moved

That the vote by which House Bill No. 175 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Was read the third time.

Mr. Treat moved

That the further consideration of the bill be referred back to the committee on taxation and tax laws.

Which motion prevailed.

House Bill No. 119,

A bill for an act to amend and re-enact section 1582 of the Revised Codes of North Dakota of 1905, relating to the redemption of real estate from tax sale.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 3, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Chapman
Connolly
Crawford

Messrs.—

Hallick
Hanawalt
Hankinson
Hanson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
Midgarden

Messrs.—

Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Trail
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid

Messrs.—	Messrs.—	Messrs.—
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Duncan	Monek	Treat
Elhard	Moore	Tufte
Evans	Murphy	Ueland
Freeman	Nelson of Steele	Wake
Ganssle	Nelson of Trail	Walker
Garden	Oveson	Wedge
Gibbens	Piper	Welford
Giedt	Plath	White
Graham	Pugh	Mr. Speaker
Grant		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Casey	Flamer
Absent and not voting:		
Messrs.—	Messrs.—	Messrs.—
Church	Haugen	Peake
Collins	Martin of Billings	Purdon
Dibley	McDowall	Shannafelt
Griffith	Morin	Syverson
Halaas	Parkhill	Watts

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 119 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Was read the third time.

Mr. Tufte asked unanimous consent to offer an amendment.

There being no objection

Mr. Tufte offered the following amendment and moved its adoption:

By striking out the following: "Section 2" where it appears in the third line of the printed bill; also the word and figure "section 3" preceding the emergency clause.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 75, nays 9, absent and not voting 15, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Putnam
Adams	Graham	Restemayer
Anderson, Grand F'rks	Grant	Rohs of Morton
Anderson, Bernt	Griffith	Rose of Dickey
Anderson, O. P. N.	Hallick	Schlenker
Andrus	Hanawalt	Simpson
Blake	Hanson	Sorley of Grand Forks
Blegen	Hemmingsen	Sorlie of Traill
Brodie	Hosford	Shirley
Brotnov	Jensen	Stavens
Burdick	Johnson of Pembina	Steen
Burgum	Johnson of Sargent	Stevens
Buttz	Johnson of Ward	Storey
Casey	Jones of Barnes	Streeter
Collins	Jones of Ransom	Swendseid
Crawford	Law	Thoreson
Cunningham	Martin of Morton	Tofsrud
Dean	Mathews	Tufte
Duncan	Midgarden	Ueland
Elhard	Mockler	Wake
Flamer	Moore	Walker
Freeman	Nelson of Traill	Watts
Ganssle	Oveson	Wedge
Garden	Peake	White
Gibbens	Plath	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Monek	Pugh
Evans	Murphy	Purdon
Miller	Piper	Sinclair

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hankinson	Nelson of Steele
Chapman	Faugen	Parkhill
Church	Martin of Billings	Shannafelt
Dibley	McDowall	Svvertson
Halaas	Morin	Welford

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Treat passed.

So the bill passed and the title was agreed to.

Mr. Thoreson moved

That the vote by which House Bill No. 230 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of 1905, relating to corporations.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were ayes 83, nays 1, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Carter
Casey
Chapman
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Grant

Messrs.—

Griffith
Hallick
Hanawalt
Hankinson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Piper
Plath
Pugh

Messrs.—

Purdon
Putnam
Restemayer
Rohs of Morton
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Buttz
Church
Collins
Dibley
Evans
Halaas

Messrs.—

Hanson
Haugen
Law
Mathews
Morin

Messrs.—

Parkhill
Rose of Dickey
Shannafelt
Sinclair
Syvertson

Mr. Brodie voting in the negative.

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Anderson of Grand Forks moved

That the title be amended as follows:

Insert after the word "of" the words "North Dakota for."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

The speaker called Mr. Stevens to the chair.

The speaker in the chair.

Mr. Stevens moved that action on
House Bill No. 257,

A bill for an act to authorize the purchase of tools and
machinery for making roads.

Be deferred until day after tomorrow (Thursday).

Which motion prevailed.

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised
Codes of 1905 of North Dakota, relating to highways on
county and township lines.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 90, nays 1, ab-
sent and not voting 8, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Pugh
Anderson, Bernt	Hankinson	Purdon
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Rose of Dickey
Brodie	Jensen	Simpson
Brotnov	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Traill
Buttz	Jones of Barnes	Shirley
Carter	Jones of Ransom	Stavens
Casey	Law	Steen
Chapman	Martin of Morton	Stevens
Crawford	Martin of Billings	Storey
Cunningham	Mathews	Streeter
Dean	McDowall	Swendseid
Duncan	Midgarden	Thoreson
Elhard	Miller	Tofsrud
Evans	Mockler	Treat
Flamer	Monek	Tufte
Freeman	Moore	Ueland
Ganssle	Murphy	Wake
Garden	Nelson of Steele	Walker
Gibbens	Nelson of Trail	Watts
Giedt	Oveson	Wedge
Graham	Parkhill	Welford
Grant	Peake	White
Griffith	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Halaas	Shannafelt
Collins	Morin	Syverson
Dibley	Schlenker	

Mr. Connolly voted in the negative.

Messrs. Church, Dibley, Halaas, Morin and Shannafelt being excused.

Mr. Aaker passed.

So the bill passed and the title was agreed to.

Mr. Johnson of Sargent moved

That the vote by which House Bill No. 189 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the house proceed to the thirteenth order of business.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate bill No. 23.

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or any agent or representative thereof to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express or other privilege at rates less than charged the public, and prescribing penalties therefor.

Was read the first and second time, and

Referred to the committee on railroads.

Also,

Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Was read the first and second time, and

Referred to the committee on insurance.

Also,

Senate Bill No. 120,

A bill for an act to repeal chapter 59 of the Session Laws

of 1897 being section 5334 of the Revised Codes of 1905 in relation to the method of proof of written instruments and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

*Senate Bill No. 104,

A bill for an act making it unlawful for any corporation to use any of its money or property or any thing of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or any thing of value and prescribing penalties therefor.

Was read the first and second times, and
Referred to the committee on elections and privileges.

Also,

Senate Bill No. 188,

A bill for an act to amend section 9371 of the Revised Codes of 1905, of the state of North Dakota, providing for the state's attorney to prosecute persons for unlawful dealing in intoxicating liquors and bring suits upon bonds or undertakings forfeited and to recover fines, and penalties, and the creation of a special fund.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 59,

A bill for an act requiring an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Was read the first and second times and
Referred to the committee on insurance.

Also,

Senate Bill No. 152,

A bill for an act to provide for the safe keeping of documents and bonds required to be deposited in the office of the county auditor.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 41,

A concurrent resolution, amending the constitution of the state of North Dakota, relating to the legislative department and providing for direct legislation and reference of laws.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 42,

A bill for an act to regulate the consolidation and reinsurance of domestic insurance companies transacting business of life, accident or health insurance.

Was read the first and second time, and
Referred to the committee on insurance.

Also,

Senate Bill No. 175,

A bill for an act defining the status of persons soliciting life insurance.

Was read the first and second time, and
Referred to the committee on insurance.

Also,

Senate Bill No. 161,

A bill for an act to mend section 1484 of the Political Code Revised Codes of North Dakota 1905.

Was read the first and second time, and
Referred to the committee on taxation and tax laws.

Also,

Senate Bill No. 179,

A bill for an act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Was read the first and second times, and
Referred to the committee on insurance.

Also,

Senate Bill No. 160,

A bill for an act to amend section 182 of the Revised Codes of 1905.

Was read the first and second times, and
Referred to the committee on schools and public lands.

Also,

Senate Bill No. 174,

A bill for an act to prohibit the issuance of non-participating policies by certain life insurance companies.

Was read the first and second times, and

Referred to the committee on insurance.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to Professor F. H. Koch, Messrs. Cooper, Brennen, Husband and Woodmansee of the university of North Dakota, and to Professor J. S. Snoddy, Messrs. Philips, Morgan and Goodburn of the university of Montana.

On request of Mr. Sorlie of Traill the privileges of the floor were extended to Mr. O. A. Hong of Buxton, N. D.

On request of Mr. Treat the privileges of the floor were extended to Messrs. H. C. Plumley, W. W. Smith and N. A. Burdick of Fargo, N. D.

On request of Mr. Martin the privileges of the floor were extended to Hon. W. A. McClure.

Mr. Stevens moved

That the house do now adjourn,

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 20, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Church, Shannafelt and Syvertson, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-third day have carefully examined the same and recommend that the same be corrected as follows:

Page 7, line 9 from bottom, change word "or" to "of."

Page 10, line 19, add word "moved" at the end thereof.

Page 15, line 9 from bottom, change word "senate" to "house."

Page 16, line 9, change figures "79" to "80" and figures "10" to "9."

Add name "Graham" to list of affirmative votes and strike out name "Graham" from list of negative votes on said page 16.

Page 25, at end of last line add "present and not voting, 1."

Page 26, insert as line 42: "Mr. Treat passed."

And when so amended recommend the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr Speaker:

Your committee on engrossment have examined
House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Also,

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engi-

neer for the months of February and March, 1905, and making an appropriation to pay the same.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Also,

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Also,

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Also,

House Bill No. 271,

A bill for an act to amend section 6266 of chapter 82 of the Revised Codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Would respectfully recommend that it also be referred back to judiciary committee for correction of typographical errors.

O. S. AAKER,
Chairman.

Mr. Aaker moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred
Senate Bill No. 78,

A bill for an act to prohibit the soliciting of orders for the future delivery without this state of intoxicating liquors to be transported into this state, to be used or sold in violation of the laws thereof, and providing a penalty for its violation.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved
That the report be adopted,
Which motion prevailed. and
The report of the committee was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 63,

A bill for an act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled "Concentrated commercial feeding stuff," prescribing a penalty for the violation thereof, providing for the inspection, testing and analysis of said feeding stuffs; charging the North Dakota government agricultural experiment station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 57,

A bill for an act to prevent the adulteration and misbranding of foods and beverages, the selling of adulterated and unwholesome foods and beverages, and providing for the proper labeling of all foods and beverages.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

The committee on state affairs made the following report:
Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 138,

A bill for an act to amend and re-enact section 2613 of

the Revised Codes of 1905, relating to the compensation and expenses for county commissioners.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

Also,

Senate Bill No. 162,

A bill for an act to amend section 894 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 176,

A bill for an act to prohibit misrepresentations by life insurance companies.

Also,

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799. 819. 836, 847, 879. 892. 912 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 200,

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers.

providing for its enforcement by the department of agriculture and labor.

Also,

Senate Bill No. 224,

A bill for an act providing for the placing of the inmates of the reform school of the state of North Dakota under the guardianship and control of the board of trustees of said reform school.

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and township surveyors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Also,

Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

The committee on insurance made the following report:
Mr Speaker:

Your committee on insurance to whom was referred
House Bill No. 193,

A bill for an act creating the office of state fire marshal: and providing for the appointment of state fire marshal: term: bond: removal: deputy and his duties: vacancies: duties of marshal in connection with other officers to investigate fires: notification of fire to marshal: record of fires: testimony under oath: arrest of suspected persons: duty to summon and enforce attendance of witnesses: false

swearing: contempt: power to enter buildings: investigation may be in private: right of marshal and other officers upon complaint to enter buildings for purposes of investigation: may order removal of inflammable or explosive material: penalty for noncompliance: sheriff or constable or witnesses, how paid: state fire marshal authorized to employ stenographer, salary of, office help, salary of: state fire marshal to be state chief of fire departments: duty of commissioner of insurance, governor and auditor: withholding funds: penalty for neglect of official duty: salaries of marshal and deputy: tax and insurance companies to defray expenses of department: itemized statement of expenses: annual report: marshal not to engage in mercantile business: compensation of various officers for reporting fires.

Have had the same under consideration and recommend that the same be amended as follows:

In printed bill strike out "withholding funds" in line 16; in lines 19 and 20 strike out "marshal not to engage in mercantile business."

In third line, page 2, change "two" to "six."

In lines from 10 to 14 strike out all from "the governor" to "fire marshal" inclusive.

In lines 18 and 19 strike out all from "who" to "provided."

In section 2, line 2, before the word "chief" insert "mayor and."

In line 4, section 2, strike out "mayor" and insert "president of the board of trustees."

In line 6, section 2, strike out "without" and insert "outside."

In line 11, section 2, insert before the "such" then."

In line 7, page 7, strike out "without" and insert "outside." After "of" in same line insert "any incorporated" and strike out "an organized."

In line 1, section 11, page 7, change "repair" to "repairs;" and after "building" add "to defective chimneys and flues." Strike out everything from "or" to material."

In line 3, section 11, strike out "building or other structure," substitute "defective chimneys and flues."

Add "s" to "repair" in line 4, section 11.

Strike out "for" in line 4 and insert "in." Strike out "which."

Strike out all from "or" to "fire" in lines 4 and 5.

In line 6, after "property," insert "it shall be their duty to have said defects repaired within ten days."

In line 10, section 11, strike out "or remedied."

In line 11, section 11, strike out "be."

In line 6, section 16, page 9, before the word "fire" insert "cities, towns or villages having."

Strike out all after the word "department" in line 6, section 16, until the end of line 12, section 16, page 10.

In line 2, section 17, pages 10 and 11, strike out all the remainder of the section after "authority to."

Also, in line 2, section 17, page 10, strike out "may withhold fund."

In line 5, section 19, after the word "provided" insert "payable upon a voucher duly approved by the commissioner of insurance."

In line 7, section 20, page 12, after the word "insurance" strike out "in the month of January" and insert "on or before March 1st of."

Strike out all after "1907" until "companies," inclusive.

After the word "companies" in line 17, section 22, page 12, insert "as provided by law."

Strike out all of section 23.

For the word "section 24" in line 1, section 24, substitute "section 23."

After the word "dollars," line 4, section 24, strike out all from "per" to "fire" and insert instead "for each fire of unknown origin and \$5.00 for each fire proven to be of incendiary origin."

And when so amended recommend the same do pass

G. N. MIDGARDEN,

Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred
House Bill No. 254,

A bill for an act amending section 926 of the Revised Codes of 1905 relating to the making of time deposits of the sinking fund, or other revenue of a city or school district.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of line 7 after the word "state," and the words "hundred dollars" in line 8, and insert in lieu thereof the words "three hundred dollars or more."

And when so amended recommend the same do pass.

K. O. BROTONOV,

Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Senate Bill No. 93,

A bill for an act entitled, "An act to amend section 746 of the Revised Codes of 1905, relating to the amount of population of cities and villages in which registration of voters is required."

Have had the same under consideration and recommend that the same do pass.

M. A. SHIRLEY,
Chairman.

Mr. Shirley moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 216,

A bill for an act to prohibit corrupt practices, and to provide for the publication of the names of all persons contributing articles for publication.

Have had the same under consideration and recommend that the same be indefinitely postponed.

M. A. SHIRLEY,
Chairman.

Mr. Shirley moved
That the report be adopted,
Which motion prevailed and
The further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, page 1, of the printed bill, strike out the words "ten" and insert in lieu thereof the word "five."

In line 3, page 1, of the printed bill, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

Also,

House Bill No. 188,

A bill for an act providing for a regulation of labor, bureau of labor, employment bureaus and state board of arbitration.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 196,

A bill for an act entitled, An act concerning public highway improvements, creating a state highway commission, defining its duties and certain powers and duties of the state engineer in connection therewith, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 109,

A bill for an act to establish a plant for the manufacturing of mowers, harvesters and binders at the state penitentiary near Bismarck, N. D., and authorizing the board of trustees of the said penitentiary to construct and operate such plant, and prescribing for the sale of the products of such plant, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 91,

A bill for an act creating and establishing an agricultural experiment station at or near Ashléy, McIntosh county, providing for its management and making appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

SPECIAL COMMITTEE REPORT.

Mr. Speaker :

Your special committee appointed for the purpose of investigating the matter of delay in the acceptance by the department of the interior of final proofs offered by homesteaders in this state, beg leave to report that they have had the matter under consideration and herewith transmit a proposed joint resolution touching the difficulties and injustices encountered by actual homesteaders in this state, and ask that it be submitted to the house for its consideration.

February 20, 1907.

Respectfully submitted,

THOS. H. PUGH,
D. R. STREETER,
O. L. MARTIN,

Committee.

WHEREAS, The interior department has issued an order to the effect that homestead proofs shall not be approved by the local land offices in this state and receiver's receipts issued thereon until investigation on the ground shall have been made by an authorized agent of the United States and the proof approved by him; and

WHEREAS, Owing to the limited number of inspectors and the large number of final proofs being submitted such order will indefinitely delay the issuance of final certificates and receipts; and

WHEREAS, The homestead entrymen on public agricultural lands in this state are necessarily obliged to borrow money upon their homesteads as soon as final proof is made and approved, for the purpose of procuring seed grain, stock and machinery for the improvement and cultivation of their lands; and

WHEREAS, There are practically no attempts at fraud in the making of final proofs on agricultural lands in this state and there appears to be no necessity for said order and the enforcement of the same will work a great hardship to settlers on public lands in this state and greatly delay the development of North Dakota; now, therefore, be it

Resolved by the House of Representatives, the Senate Concurring: That the secretary of the interior be, and is hereby, requested to rescind or modify said order in so far as the same affects public agricultural lands within the state of North Dakota.

Resolved, further, That the secretary of state be, and he hereby is, requested to forward to His Excellency, President Theodore Roosevelt and to the Hon. H. C. Hansbrough, Hon. Porter J. McCumber, Hon. Thos. F. Marshall and Hon. A. J. Gronna certified copies of this resolution.

Mr. Pugh moved the adoption of the resolution.

Which motion prevailed, and

The resolution was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Pugh gave notice that tomorrow he would ask for unanimous consent to move for the reconsideration of the vote by which House Bill No. 100 was indefinitely postponed.

Mr. Sorlie of Traill moved that House Bill No. 257 be re-referred to the committee on highways and bridges.

Which motion prevailed, and

The bill was so referred.

CONCURRENT RESOLUTION.

Memorial to congress for constitutional amendment.

Introduced by Mr. Buttz.

Whereas, The recent investigation made by the senate of the United States as to the qualifications of one of its members, has developed the fact that polygamy exists in several of the states notwithstanding the laws that exist in said states prohibiting the same, and

Whereas, The practice of polygamy is condemned by the law abiding people of the United States, and there is a sentiment prevailing throughout the country for a more effectual remedy to eradicate the evil complained of, by giving the federal courts jurisdiction over and control of that

question as well as that of divorces; at the same time reserving to each state the right to make and enforce its own laws relating to marriages, therefore, be it

Resolved by the House of Representatives of North Dakota, the Senate Concurring, That the congress of the United States is hereby petitioned to take the necessary steps to provide for a constitutional amendment, to be submitted to the several states, whereby polygamy and polygamous cohabitation shall be prohibited, by giving the federal courts jurisdiction to enforce any and all acts of the United States congress, upon the subject of polygamy and polygamous practices, as well as upon uniform divorce laws throughout the several states. Be it further

Resolved, That the secretary of state be and he hereby is directed to transmit copies of this memorial to the senate and house of representatives of the United States, and to the members of said bodies representing this state therein; also to transmit copies hereof to the legislature of all other states of the United States.

Mr. Buttz moved the adoption of the concurrent resolution.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Garden introduced the following resolution:

Whereas, A resolution was adopted by this house requiring the members of the board of railroad commissioners to appear before this house and furnish information as to what laws should be enacted to vest them with proper power to regulate common carriers, and to inform this body what has been done by said board in establishing a schedule of rates for the transportation of freights, and

Whereas, It is important that this house should secure such information as soon as possible so that it can have sufficient time to enact any laws that may be suggested by said board of railroad commissioners. Be it therefore

Resolved, That each of the members of said board of railroad commissioners and the secretary thereof be and they are hereby required to appear before this house on the 23d day of February, 1907, at eight o'clock p. m., to furnish such information, and they are also required to produce at said time all the books and records of their office. Be it further

Resolved, That the chief clerk and sergeant at arms are hereby authorized and directed to serve a copy of this resolution upon each of the members of said board, and the secretary thereof, who may be found in the city of Bismarck, and to telephone and telegraph the contents thereof to each of the members that may not be within said city, and to leave a copy of this resolution at the office of the said board in the city of Bismarck.

Mr. Garden moved the adoption of the resolution.

Which motion prevailed, and

The resolution was adopted.

Mr. Bernt Anderson moved

That the house concur in Senate Memorial relating to the drainage of lakes and navigable streams.

Which motion prevailed, and

The memorial was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate :

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 20, 1907.

Mr. Speaker :

I have the honor to transmit herewith

Senate Bill No. 194,

A bill for an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Sorley of Grand Forks moved

That the house resolve itself into a committee of the whole for the consideration of House Bills Nos. 236, 153, 154, 107, 75, 96, 139, 76, 225 and 7.

Which motion was lost.

GENERAL ORDERS.

Mr. Haugen moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Ueland to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 108,

A bill for an act amending section 8279 of the Revised Codes of 1899, relating to criminal procedure.

And recommend that the same be amended as follows:

In the title strike out "8279" and substitute in lieu thereof "10088;" strike out "1899" and substitute in lieu thereof "1905."

In line 1 of section 1 strike out "8279" and substitute therefor "10088."

In line 2 of section 1 strike out "1899" and substitute therefor "1905."

In line 3 strike out "8279" and substitute in lieu thereof "10088."

And when so amended recommend the same do pass.

Also,

House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

And recommend the same be indefinitely postponed.

Also,

House Bill No. 161,

A bill for an act regulating the date of the meeting of the county commissioners.

And recommend that the same be amended as follows:

That its title read: "A bill for an act to amend section 2392 of the Revised Codes of North Dakota for 1905."

And that the word "made" in line 2 of section 1 be changed to the word "amended."

And when so amended recommend the same do pass.

Also,

House Bill No. 139,

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and

county officials who have been guilty of malfeasance or non-feasance in the performance of their official duties, or who is guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

And recommend that the same be amended as follows:

1. By striking out all the title of the act after the word "suspend" in the second line and inserting in lieu thereof the following: "Any county officer for misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness, or gross incompetency and for providing for the filling of vacancies caused by such suspension or removal."

2. By striking out the words "railroad commissioner" in the second line of section 1.

3. By striking out the last four lines in section 1 and inserting in lieu thereof the following: "Misconduct, malfeasance, crime or misdemeanor in office, or who is guilty of habitual drunkenness or gross incompetency; first giving to such officer a copy of the charges against him and an opportunity to be heard in his defense."

4. By striking out all of section 5 after the word "state" in line 13 of the bill.

5. By striking out all of section 6 and inserting in lieu thereof the following:

"Sec. 6. Charges To Be Made in Writing.] Charges against officer shall be made by the public examiner. Charges shall be reduced to writing and shall be duly verified. The governor shall furnish a copy thereof to the person against whom said charges are made."

6. That section 7 be amended by adding to the end of said section the following: "Such notice must be given within ten days after their appointment."

7. That said bill be further amended by striking out section 13 and changing section 14 to section 13.

8. After the word "herein" in line 4 of section 7 add the following: "Provided the testimony shall be taken in the county wherein the accused resides."

And when so amended recommend the same do pass

Also,

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

And recommend that the same be amended as follows:

Strike out everything after the enacting clause and substitute in lieu thereof the following:

"SECTION 1. Waiver of Demurrer.] In all cases, civil or criminal, in which any or either party shall demur to any indictment, information, complaint, answer, or other pleading of the adverse party, and said demurrer shall be overruled, the party demurring shall be given the right to plead over, by traverse or otherwise, without waiving his said demurrer; and upon appeal shall have the right to insist upon his demurrer and have the benefit thereof as fully as if he had not pleaded over.

"Sec. 2. Whereas there is no law now in existence covering waiver of demurrer, an emergency is deemed to exist; therefore, this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

Also,

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

And recommend that the same be amended as follows:

In line 24, page 3, of the printed bill, change the word "twenty" to "ten."

In line 25, same page, change the word "twelve" to "twenty-four."

In line 2, section 3, after the word "for" add the word "carload."

In line 3 of the same section change the word "shipment" to "shipments."

In lines 6 and 12 of said section change the words "forty-eight" to "seventy-two."

Also in line 13, section 4, change "twenty" to "ten."

In line 14, same section, change "twelve" to "twenty-four."

In line 2, section 5, change the word "conclude" to "include."

Also,

Insert after the word "receipt," in line 21, page 3, of the printed bill, the following: "When demanded."

Also strike out in line 16, section 1, of printed bill, the words "two passenger coaches" and insert in lieu thereof the words "one passenger coach and one combination passenger and baggage coach."

Also, add after the word "next," in line 11, page 2, of printed bill, the word "local."

In section 1, after the word "acts" where it appears the second time, insert the words "so far as they are."

And when so amended recommend the same do pass.

Also,

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

And recommend that the same do pass.

L. A. UELAND,

Chairman.

Mr. Stevens moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 20, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

A concurrent resolution authorizing the emergency commission of the state to transfer the sum of seventy-five thousand dollars from the sinking fund of the twine plant at the state penitentiary to the general fund of the state of North Dakota.

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That the emergency commission of the state is hereby authorized and directed to transfer the sum of seventy-five thousand dollars from the sinking fund of the twine plant at the state penitentiary to the general fund of the state of North Dakota, for the reason that the general fund of the state, during the years 1904 and 1905, advanced to the twine plant at the state penitentiary the above mentioned sum, and which sum was thereafter paid to the sinking fund of the said twine plant by the sale of bonds as thereafter authorized by the legislative assembly of this state, and for the further reason that the moneys arising and being received from the profits of said institution will be ample to retire and cancel the said bonds of the twine plant when the same mature.

Which the senate has passed and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

There being no objection the house returned to the twelfth order of business.

Mr. Peake moved

That the house do concur in the senate concurrent resolution relating to the transfer of \$75,000 from the sinking fund.

On request of Mr. Miller the privileges of the floor were extended to Mr. W. E. Perkins.

On request of Mr. Martin of Billings the privileges of the floor were extended to M. F. Woods of the same place.

On request of Mr. Freeman the privileges of the floor were extended to Mr. F. C. Falkinstein.

On request of Mr. O. P. N. Anderson the privileges of the floor were extended to Mr. M. H. Brennen of Devils Lake.

On request of Mr. Burgum the privileges of the floor were extended to Sheriff W. E. Hunt, Fargo, N. D., and County Commissioner Henry Boyle, Alice, N. D.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to John Williams of Turtle Lake.

Mr. Blake moved

That House Bill No. 219 be re-referred to the committee on highways and bridges.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Peake introduced

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Adams introduced

House Bill No. 298,

A bill for an act authorizing the refunding of outstanding village bonds and warrants.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Pugh introduced

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Rose of Dickey introduced

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised

Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. Duncan introduced

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Which was read the first and second times and

Referred to the committee on education.

Mr. Tufte introduced

House Bill No. 302,

A bill for an act to repeal section 3013 of the Revised Codes of North Dakota for the year 1905, relating to bridge funds.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Johnson of Ward introduced

House Bill No. 303,

A bill for an act to amend section 7033 of the Revised Codes of North Dakota of 1905, relating particularly to special verdicts, when to be submitted, what to embrace, and instructions of court to jury thereunder.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Chapman introduced

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Streeter introduced

House Bill No. 305,

A concurrent resolution to amend section 217 of the Constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

Which was read the first and second times, and

Referred to the committee on temperance.

Mr. Gibbens introduced

House Bill No. 306,

A bill for an act to amend sections 615 and 616 of the Revised Codes of 1905, relating to ballots to be used at general elections.

Which was read the first and second times, and

Referred to the committee on elections and privileges.

Mr. Martin of Billings introduced

House Bill No. 307,

A bill for an act to amend section 9190 of the Revised Codes of the state of North Dakota for the year 1905, fixing the punishment for grand larceny.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Streeter moved

That the house take a recess until 10 o'clock tomorrow.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow.

P. D. NORTON,

Chief Clerk.

FORTY-FOURTH DAY--AFTER RECESS
AND
FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

Mr. Stevens moved
That the vote by which
House Bill No. 107,

A bill for an act providing to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Was indefinitely postponed be reconsidered.
Which motion prevailed.

Mr. Stevens moved
That House Bill No. 107 be re-referred to the committee on ways and means.

Which motion prevailed, and
The bill was so referred.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Treat introduced

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Miller introduced

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Which was read the first and second times, and

Referred to the committee on municipal corporations.

THIRD READING OF HOUSE BILLS.

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 2, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Messrs.—

Messrs.—

Aaker

Graham

Putnam

Anderson, Grand F'rks

Grant

Restemayer

Anderson, Bernt

Griffith

Rohs of Morton

Anderson, O. P. N.

Halaas

Rose of Dickey

Andrus

Hallick

Schlenker

Blake

Hanson

Sinclair

Blegen

Haugen

Sorley of Grand Forks

Brotnov

Hemmingsen

Sorlie of Traill

Burdick

Hosford

Shirley

Burgum

Jensen

Stavens

Buttz

Johnson of Sargent

Steen

Carter

Jones of Barnes

Storey

Casey

Jones of Ransom

Streeter

Chapman

Law

Swendseid

Collins

Martin of Billings

Thoreson

Connolly

Mathews

Tofsrud

Messrs.—

Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Gibbens
Giedt

Messrs.—

Mockler
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Peake
Plath
Pugh
Purdon

Messrs.—

Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Brodie
Church
Dibley
Garden
Hanawalt
Hankinson

Messrs.—

Johnson of Pembina
Johnson of Ward
Martin of Morton
McDowall
Midgarden
Monek

Messrs.—

Murphy
Parkhill
Piper
Shannafelt
Simpson
Syvertson

Messrs. Miller and Stevens voting in the negative.

Messrs. Church, Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

• Mr. Moore moved

That the vote by which House Bill No. 214 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 87, nays 1, absent and not voting 11, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Sargent

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill

Messrs.—

Buttz
Carter
Casey
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Gibbens
Giedt
Graham

Messrs.—

Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Nelson of Traill
Oveson
Peake
Piper
Plath

Messrs.—

Shirley
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Chapman
Dibley
Garden

Messrs.—

Hankinson
Johnson of Pembina
Morin
Murphy

Messrs.—

Parkhill
Shannafelt
Syvertson

Mr. Nelson of Steele voting in the negative.

Mr. Stavens not voting.

Messrs. Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 237 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 85, nays 2, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanson
Haugen

Messrs.—

Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rose of Dickey

Messrs.—

Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Shirley
Stavens
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Blake
Brodie
Dibley
Hanawalt
Hankinson

Messrs.—

Johnson of Ward
Murphy
Parkhill
Rohs of Morton

Messrs.—

Shannafelt
Sorlie of Traill
Syvertson
Tofsrud

Messrs. Piper and Steen voting in the negative.

Messrs. Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Chapman moved

That the vote by which House Bill No. 198 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 271,

A bill for an act to amend section 6266 of chapter 82 of the Revised Codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays 1, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt

Messrs.—

Grant
Griffith
Halaas

Messrs.—

Plath
Pugh
Purdon

Messrs.—

Anderson, O. P. N.
 Andrus
 Blake
 Blegen
 Brotnov
 Burdick
 Burgum
 Buttz
 Carter
 Chapman
 Church
 Collins
 Connolly
 Crawford
 Cunningham
 Dean
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Giedt
 Graham

Messrs.—

Hallick
 Hanson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Sargent
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Midgarden
 Miller
 Mockler
 Moore
 Morin
 Nelson of Steele
 Nelson of Traill
 Oveson
 Parkhill
 Peake
 Piper

Messrs.—

Putnam
 Restemayer
 Rohs of Morton
 Rose of Dickey
 Simpson
 Sinclair
 Sorley of Grand Forks
 Sorlie of Traill
 Shirley
 Stavens
 Steen
 Stevens
 Storey
 Streeter
 Swendseid
 Thoreson
 Treat
 Tufte
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
 Casey
 Dibley
 Hanawalt

Messrs.—

Hankinson
 Johnson of Ward
 Monek
 Murphy

Messrs.—

Schlenker
 Shannafelt
 Syvertson
 Tofsrud

Mr. Aaker voting in the negative.

So the bill passed and the title was agreed to.

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Was read the third time.

The speaker called Mr. Sorley of Grand Forks to the chair.

Mr. Treat moved

That the further consideration of the bill be referred back to the committee on school and public lands.

Which motion prevailed, and

The bill was so referred.

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts

were not lawfully organized, and providing the manner of submitting their respective claims.

Was read the third time.

Mr. Peake asked unanimous consent to offer an amendment.

There being no objection

Mr. Peake offered the following amendment and moved its adoption.

Strike out the word and figure "Section 4" preceding the emergency clause.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 79, nays 5, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Adams	Hallick	Purdon
Anderson, Grand F'rks	Hanson	Putnam
Anderson, Eernt	Haugen	Restemayer
Anderson, O. P. N.	Hemmingsen	Rohs of Morton
Andrus	Hosford	Rose of Dickey
Blegen	Jensen	Schlenker
Brotnov	Johnson of Pembina	Simpson
Burdick	Johnson of Sargent	Sinclair
Burgum	Jones of Barnes	Sorley of Grand Forks
Buttz	Law	Sorlie of Traill
Carter	Martin of Morton	Shirley
Casey	Martin of Billings	Stevens
Chapman	Mathews	Storey
Collins	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Thoreson
Dean	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Evans	Nelson of Steele	Wake
Flamer	Oveson	Watts
Garden	Parkhill	Wedge
Gibbens	Peake	Welford
Giedt	Piper	White
Graham	Plath	Mr. Speaker
Griffith		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Steen	Walker
Stavens	Tofsrud	

Absent and not voting:

Messrs.—

Blake
Brodie
Church
Connolly
Dibley
Freeman

Messrs.—

Ganssle
Hanawalt
Hankinson
Johnson of Ward
Jones of Ransom

Messrs.—

Morin
Murphy
Nelson of Traill
Shannafelt
Syvertson

Messrs. Shannafelt and Syvertson being excused.

So the bill passed as amended and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 129 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 9, absent and not voting 14, present and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blegen
Brotnov
Burdick
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Graham
Halaas
Hallick
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Murphy
Nelson of Traill
Peake

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stevens
Storey
Swendseid
Thoreson
Treat
Tufte
Ueland
Wake
Watts
Wedge
Welford
White
Twichell

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Blake
Burgum

Messrs.—

Grant
Nelson of Steele
Piper

Messrs.—

Stavens
Steen
Tofsrud

Absent and not voting:

Messrs.—

Adams
Brodie
Dibley
Freeman
Griffith

Messrs.—

Hanawalt
Hankinson
Johnson of Ward
Morin
Rose of Dickey

Messrs.—

Schlenker
Shannafelt
Streeter
Syvertson

Messrs. Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Grand Forks moved

That the vote by which House Bill No. 221 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Burgum moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Dibley, Shannafelt and Syvertson, who were excused.

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MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 18.

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for for the violation thereof.

Which the senate has amended as follows:

* By amending the title to read as follows: "A bill for an act entitled: An Act Providing for a Maximum Rate of Fare To Be Charged and Collected by Railroads, Railroad Corporations and Common Carriers for the Transportation of Passengers and Baggage, Providing a Penalty for the Violation Thereof."

By adding after the word "mile" in line 4 of section 1 the words "for distances exceeding six miles."

By adding after the word "made" in line 9 of section 1 the following: "But the fare shall always be that multiple of five nearest reached by multiplying the rate by the distance; and provided further, that the provisions of this act shall not apply to the transportation of passengers within the boundaries of any city by street railway companies."

By striking out all of sections 2 and 3 of the printed bill and section 4 down to line 7 and commencing with the word "but" in line 11; then down to and including all of line 13.

Also by striking out lines 8 and 14, inclusive, of section 6.

By striking out the following words in section 1 of the reprinted bill: "Neither shall this act be held to prohibit any railroad, railroad corporation or common carrier from granting round trip excursion rates to any class of persons, providing that all persons of that class shall be allowed equal privileges in respect to such excursion rates."

By renumbering the remaining sections consecutively.

By striking out the emergency clause.

By striking out section 3 of the bill as amended and inserting in lieu thereof the following:

"SEC. 3. Every such railroad, railroad corporation or common carrier violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars; and any agent or officer so offending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days or more than ninety days, or both such fine and imprisonment in the discretion of the court."

Making the amended bill read as follows:

"A bill for an act entitled: An Act Providing for a Maximum Rate of Fare To Be Charged and Collected by Railroads, Railroad Corporations and Common Carriers for the Transportation of Passengers and Baggage, and Providing a Penalty for the Violation Thereof.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. Every railroad, railroad corporation and common carrier doing business in this state, their officers, agents, representatives, employees, trustees, receivers and lessees shall be limited to a compensation of not to exceed two cents per mile for distances exceeding six miles for the transportation of any person with ordinary baggage not exceeding one hundred and fifty pounds in weight; and for children five years of age and less than twelve years of age, one-half of the fare charged for adults; and for children under five years old who are traveling with an adult paying full fare no charge shall be made. But the fare shall always be that multiple of five nearest reached by multiplying the rate by the distance. Provided that the provisions of this act shall not apply to the transportation of passengers within the boundaries of any city by street railway companies. Every officer, agent, conductor, representative or employee of any railroad, railroad corporation or common carrier who shall aid or abet any such railroad, railroad corporation or common carrier in the violation of this act by selling, charging or collecting for any ticket or transportation over any railroad any greater sum, charge or rate than that above specified shall be deemed personally guilty of a violation of this act and, upon conviction, shall be punished as hereinafter provided.

"The sum of ten cents may be added to the legal fare when the same is paid on the cars, provided that a reasonable opportunity has been afforded to passengers to purchase tickets at the legal rate of fare before boarding the train.

"SEC. 2. No person and no officer, agent, representative or employee of any railroad, railroad corporation or common carrier shall be excused from testifying or producing books and documents in his possession in relation

to any violation of this act on the ground that such testimony, books or documents would tend to convict the person so testifying of a crime; but no person so testifying shall be liable to prosecution or punishment for any offense concerning which he has been required to testify or to produce books or documents.

"SEC. 3. Every such railroad, railroad corporation or common carrier violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars; and any agent or officer so offending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days or more than ninety days, or both such fine and imprisonment in the discretion of the court.

"SEC. 4. All acts and parts of acts in so far as they conflict with this act are hereby repealed."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

Mr Speaker:

I have the honor to transmit herewith

• Senate Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2218 and 2226, in relation to oil inspection.

Also,

Senate Bill No. 67.

A bill for an act to amend section 5404 of the Revised Codes of 1905, relating to effect of highways or railways, on right of way therefor, over or upon the lands conveyed.

Also,

Senate Bill No. 249,

A bill for an act to amend section 2928 of the Revised Codes of the state of North Dakota for 1905, relating to establishing permanent corners in cities and towns.

Also,

Senate Bill No. 225,

A bill for an act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Also,

Senate Bill No. 273,

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for 1905, relating to the construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

I have the honor to return herewith

House bill No. 135,

A bill for an act to amend section 1216 of the Revised Codes of 1895, being section 1531 of the Revised Codes of North Dakota, relating to the state board of equalization.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Stevens moved

That House Bill No. 18 as amended by the senate be referred to general orders.

Which motion prevailed.

Mr. Buttz proposed the following amendments to House Bill No. 18 and asked that they be referred to the committee to be considered together with said bill.

In line 4 of the reprinted bill after the word "exceed" strike out the word "two" and inserting the word "2½" in lieu thereof.

And that after line 9 in section 1 the following be inserted: "Provided further that every railroad, railroad corporation and common carrier doing business in this state shall issue upon request of any person, mileage books

in denomination of one thousand miles, with baggage and other facilities similar to those accompanying regular trip tickets, at a price of twenty dollars each; that such mileage books shall be good for travel by the purchaser and by such adult members of his family as he may designate and whose names are then and there written thereon."

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-fourth day have carefully examined the same and find it correct.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Also,

House Bill No. 139,

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and county officials who have been guilty of malfeasance or non-feasance in the performance of their official duties, or who is guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

Also,

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Also,

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Also,

House Bill No. 108,

A bill for an act amending section 8279 of the Revised Codes of 1899, relating to criminal procedure.

Also,

House Bill No. 161,

A bill for an act regulating the date of the meeting of the county commissioners.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 137,

A bill for an act relating to unauthorized wearing or use of badges, name, title of officers, insignia, ritual or ceremonies of certain orders and societies.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

The committee on taxation and tax laws made the following report:

Mr. Speaker:

Your committee on taxation and tax laws to whom was referred House Bill No. 207, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill after the word "institution" insert the words "and seminaries;" and at the end of section 1 in line 11 of the printed bill after the word profit insert the following: "Also all churches and houses used exclusively for public worship and the lots and parts of lots upon which such churches and houses are erected."

On page 2, line 22, of the printed bill, after "hospitals" insert "under the control of religious or charitable societies."

And when so amended recommend the same do pass.

O. T. TOFSRUD,
Chairman.

Also,

House Bill No. 258,

A bill for an act providing for the creating of a fund by and in each of the several state banks of this state, for the payment of unsecured deposits in any of such banks that may hereafter become insolvent.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofrsud moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on drainage made the following report:
Mr. Speaker:

Your committee on drainage to whom was referred
Senate Bill No. 206,
A bill for an act defining a watercourse.
Have had the same under consideration and recommend
that the same do pass.

T. O. BURGUM,
Chairman.

Mr. Burgum moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Pugh asked unanimous consent to make a motion. ,
There being no objection

Mr. Pugh moved ,

That the vote by which House Bill No. 100 on report of
the committee was indefinitely postponed be reconsidered.
Which motion prevailed.

Mr. Pugh moved

That House Bill No. 100 be referred to general orders.
Which motion prevailed.

Mr. Streeter moved to reconsider the vote by which Senate Bill No. 3 was indefinitely postponed.

Which motion prevailed.

Mr. Streeter moved

That Senate Bill No. 3 be recalled from the senate.
Which motion prevailed.

The house returned to the fifth order of business.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 3 and 4, page 1, of the printed bill, strike out the words "and a constable within and for the county."

And when so amended recommend the same do pass.

J. F. TREAT,
Chairman.

A majority of your committee on municipal corporations to whom was referred

House Bill No. 269,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Have had the same under consideration and recommend that the same be amended as follows:

In line 17, page 2, of the printed bill, strike out the word "two" and insert in lieu thereof the word "four."

And when so amended recommend the same do pass.

J. F. TREAT,
Chairman.

Also,

House bill No. 200,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. F. TREAT,
Chairman.

Mr. Treat moved
That the report be adopted,
Which motion prevailed and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7, page 1, of the printed bill, after the word "funds" insert the words "or debts."

In line 16, page 2, of the printed bill, after the word "thereof" insert the words "and debts."

In line 19, page 2, of the printed bill, after the word "jointly" insert the following: "Or their just proportion of indebtedness owed."

In line 33, page 2, of the printed bill, after the words "owned property" insert the words "or owed debts."

And when so amended recommend the same do pass.

J. F. TREAT,
Chairman.

The house returned to the fourth order of business, and
Mr. Sorley of Grand Forks presented the following petition:

Members of Legislature Bismarck, North Dakota:

DEAR SIR: A copy of House Bill 88, entitled an Act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000.00 whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands

that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislature of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

OLE CLEMENTSON
AND NINE OTHERS.

Mr. Burgum presented the following petition:

Members of Legislature, Bismarck, North Dakota:

DEAR SIR: A copy of House Bill 88, entitled an Act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000.00 whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislature of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

J. B. HOCKRIDGE
AND TWELVE OTHERS.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred.

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Code of 1905.

Have had the same under consideration and recommend that the same be referred to the committee on state affairs for the reason that there is now a bill before said committee pertaining to the same subject matter.

D. E. BLAKE,
Chairman.

Br. Blake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Mr. Speaker:

Your committee on judiciary to whom was referred
House bill No. 20,

A bill for an act to amend section 5848 of the revised codes for 1895, being section 5848 of the revised codes of 1899, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of title strike out "5848" and insert in lieu thereof "7459;" strike out "1895" in same line and insert in lieu thereof "1905." In line 2 of title strike out the following: "Being section 5848 of the Revised Codes of 1899."

In line 1 of section 1 strike out "5848" and insert in lieu thereof "7459." In line 2 of said section strike out "1895" and insert in lieu thereof "1905."

Strike out the following, beginning in line 2 of section 1: "Being section 5848 of the Revised Codes of North Dakota for 1899."

Strike out all of section 2.

And when so amended recommend the same do pass.

J. A. SORLEY,

Chairman.

Mr. Stevens moved

That no member be allowed without unanimous consent to introduce a bill in this house after February 28.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Hankinson introduced

House Bill No. 310.

A bill for an act to amend sections 1571, 1576 and 1582 of the Revised Codes of the state of North Dakota for 1905.

Which was read the first and second times, and
Referred to the committee on taxation and tax laws.

Mr. Dean introduced

House Bill No. 311,

A bill for an act to provide for the appointment of a board of examiners to determine the conditions of defend-

ant's mind, in cases of homicide or other crimes, in which the defense attributes the act to insanity.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Murphy introduced

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Brodie introduced

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Referred to the committee on coal lands and mining.

THIRD READING OF HOUSE BILLS.

Mr. White moved

That the house take up House Bill No. 153.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 21, 1907.

Mr Speaker:

I have the honor to return herewith

Senate Bill No. 3,

A bill for an act to amend section 6710 of chapter 101 of the Civil Code of the Revised Codes of North Dakota, 1905.

As requested by the house.

Very respectfully,

J. W. FOLEY,

Secretary.

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 90, nays 3, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Piper
Adams	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Schlenker
Brodie	Jensen	Simpson
Brotnov	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Traill
Buttz	Jones of Barnes	Shirley
Casey	Jones of Ransom	Stavens
Church	Law	Steen
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dean	McDowall	Thoreson
Duncan	Midgarden	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Giedt	Oveson	Welford
Graham	Parkhill	White
Grant	Peake	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Crawford	Carter	Hankinson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chapman	Rose of Dickey	Stevens
Dibley	Shannafelt	Syverson
Miller		

Messrs. Dibley, Shannafelt and Syverson being excused.
So the bill passed and the title was agreed to.

Mr. Shirley moved

That the vote by which House Bill No. 153 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays 1, absent and not voting 4, present and not voting 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Schlenker
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Shirley
Casey	Jones of Ransom	Stavens
Chapman	Law	Steen
Church	Martin of Morton	Stevens
Connolly	Martin of Billings	Storey
Crawford	Mathews	Streeter
Cunningham	McDowall	Swendseid
Dean	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Murphy	Walker
Garden	Nelson of Traill	Watts
Gibbens	Oveson	Wedge
Giedt	Parkhill	Welford
Graham	Peake	White
Grant	Piper	Mr. Speaker
Griffith	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Shannafelt	Syvertson
Dibley		

Mr. Nelson of Steele voted in the negative.

Messrs. Dibley, Shannafelt and Syvertson being excused.
Messrs. Aaker, Bernt Anderson and Hosford present and not voting.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 134 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Was read the third time.

Mr. Stevens asked unanimous consent to offer an amendment.

There being no objection

Mr. Stevens offered the following amendment and moved its adoption.

Strike out the word "presumptive" in the last line of section 12 and insert in lieu thereof the words "prima facie."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended;

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina

Messrs.—

Feake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sorley of Grand Forks
Sorlie of Traill

Messrs.—	Messrs.—	Messrs.—
Buttz	Johnson of Sargent	Shirley
Carter	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Monek	Wake
Freeman	Moore	Walker
Ganssle	Morin	Watts
Garden	Murphy	Wedge
Gibbens	Nelson of Steele	Welford
Giedt	Nelson of Traill	White
Graham	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	Schlenker	Sinclair
Dibley	Shannafelt	Syvertson
Parkhill		

Messrs. Dibley, Shannafelt and Syvertson being excused.
So the bill as amended passed and the title was agreed to.

Mr. Treat moved

That the vote by which House Bill No. 84 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

WHEREAS, Many false, misleading and grossly exaggerated reports have been published during the past few months regarding the climatic conditions and loss of life resulting therefrom in North Dakota; and

WHEREAS, Many malicious and sensational stories have been published in the metropolitan press of other states which were far from the truth; and

WHEREAS, Many of these mendacious and untruthful articles emanated from and were published at the instance of men who have sought to make these false reports profitable to themselves, and to divert the tide of immigration from the fertile fields and rapidly developing state of North Dakota; and

WHEREAS, The Minneapolis Journal, of all metropolitan northwestern papers, has consistently investigated the sensational reports responsible for such articles, and denied and denounced the same when shown to be without foundation in fact, and truthful publication made of the real facts and conditions; and

WHEREAS, North Dakota, according to government reports, has more sunny, pleasant days in the year than other northern or eastern states; that it has never been, within the knowledge of the oldest inhabitant, visited by a summer cyclone; that it has never had a serious epidemic of disease in any of its cities; that its death rate is lower, according to the government census, than any state in the union; that its per capita wealth is greater than any state in the United States; and

WHEREAS, In the magnitude of new investments; in the development of new enterprises; in the creation of new cities and towns; in the establishment of new communities; in the opening up and settlement of previously unoccupied territory; in the industrial progress made; in the enlargement and extension of commercial interests during the years of 1905 and 1906 North Dakota stands without a peer in the United States: therefore, be it

Resolved, That the president of the senate be authorized to appoint a committee consisting of three senators to act in conjunction with a committee of four members to be appointed by the speaker of the house to investigate and ascertain the actual conditions that prevailed during the past two months in all sections of the state; that such committee shall be authorized to investigate and determine the truth or falsity of the reports circulated, and upon the completion of their labors report the result of such investigation. Further

Resolved, That the thanks of the legislative assembly is due to the Minneapolis Journal for its fair, impartial and truthful exposition of the true condition and its continued exposure of false and harmful reports.

Which the senate has adopted and your concurrence therein is respectfully requested.

The president appointed as such committee Senators Pierce, Purcell and Simpson.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 29, absent and not voting 8, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Purdon
Adams	Halaas	Putnam
Anderson, Grand F'rks	Hallick	Rohs of Morton
Anderson, Bernt	Hanawalt	Rose of Dickey
Anderson, O. P. N.	Hanson	Schlenker
Andrus	Haugen	Simpson
Brodie	Hemmingsen	Sorley of Grand Forks
Casey	Hosford	Sorlie of Traill
Church	Jensen	Steen
Collins	Jones of Barnes	Stevens
Connolly	Law	Streeter
Crawford	Martin of Morton	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Tufte
Duncan	Murphy	Ueland
Elhard	Nelson of Steele	Wake
Evans	Nelson of Traill	Walker
Ganssle	Oveson	Welford
Garden	Peake	White
Gibbens	Piper	Mr. Speaker
Giedt	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Johnson of Pembina	Morin
Blegen	Johnson of Sargent	Pugh
Brotnov	Johnson of Ward	Restemayer
Burdick	Jones of Ransom	Shirley
Burgum	Martin of Billings	Stavens
Buttz	Mathews	Storey
Carter	McDowall	Swendseid
Flamer	Midgarden	Watts
Grant	Monek	Wedge
Hankinson	Moore	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chapman	Griffith	Shannafelt
Dibley	Parkhill	Sinclair
Freeman	Syverson	

Messrs. Dibley, Shannafelt and Syverson being excused.

Mr. Treat passed.

So the bill passed and the title was agreed to.

Mr. Streeter explained his vote.

Mr. Martin of Billings explained his vote.

Mr. Buttz explained his vote.

Mr. Streeter moved

That the vote by which House Bill No. 248 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 301,

A joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices and authorizing an appropriation for the payment therefor.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 108,

A bill for an act amending section 8279 of the Revised Codes of 1899, relating to criminal procedure.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays 2, absent and not voting 4, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Bernt
Anderson, O. P. N.
Anderson, Grand F'rks
Andrus
Blake
Blegen
Brodie
Brotnov

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey

Messrs.—	Messrs.—	Messrs.—
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Sargent	Sorley of Grand Forks
Casey	Johnson of Ward	Shirley
Chapman	Jones of Barnes	Stavens
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Monek	Wake
Freeman	Moore	Walker
Ganssle	Morin	Wedge
Garden	Murphy	Welford
Gibbens	Nelson of Traill	White
Giedt	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Steen	Syverson
Shannafelt		

Nelson of Steele and Watts voted in the negative.

Messrs. Dibley, Shannafelt and Syverson being excused.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 108 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 21, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 158,

A bill for an act to amend section 1172 of the Revised Codes of 1905, relating to the industrial school and school for manual training.

Which the senate has passed and your favorable consideration thereof is requested.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 161,

A bill for an act regulating the date of the meeting of the county commissioners.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 93, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Dibley
Rose of Dickey

Messrs.—

Schlenker
Shannafelt

Messrs.—

Steen
Syvertson

Mr. Martin of Morton voted in the negative.

Messrs. Dibley, Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which House bill No. 161 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 139,

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and county officials who have been guilty of malfeasance or non-feasance in the performance of their official duties, or who is guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were ayes 49, nays 44, absent and not voting 6, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Putnam
Anderson, Grand F'rks	Hallick	Sorley of Grand Forks
Anderson, Bernt	Hanson	Sorlie of Traill
Anderson, O. P. N.	Haugen	Shirley
Brotnov	Hemmingsen	Stavens
Burgum	Hosford	Steen
Casey	Johnson of Pembina	Storey
Collins	Law	Tofsrud
Cunningham	Martin of Morton	Tufte
Dean	Midgarden	Ueland
Duncan	Moore	Walker
Freeman	Nelson of Steele	Watts
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Graham	Peake	Mr. Speaker
Grant	Piper	
Griffith	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Ganssle	Pugh
Andrus	Giedt	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Jensen	Rose of Dickey
Brodie	Johnson of Sargent	Schlenker
Burdick	Johnson of Ward	Simpson
Buttz	Jones of Barnes	Sinclair
Carter	Jones of Ransom	Stevens
Chapman	Martin of Billings	Streeter
Church	Mathews	Swendseid
Connolly	McDowall	Thoreson
Crawford	Miller	Treat
Elhard	Mockler	Wake
Evans	Morin	Wedge
Flamer	Murphy	

Absent and not voting:

Messrs.—

Dibley
Hankinson

Messrs.—

Monek
Purdon

Messrs.—

Shannafelt
Syvertson

Messrs. Dibley, Shannafelt and Syvertson being excused.

Mr. Parkhill present but not voting.

So the bill was lost.

Mr. Streeter moved

That the vote by which House Bill No. 139 was lost be reconsidered and the motion to reconsider be laid upon the table.

Roll call demanded.

The roll was called and there were ayes 49, nays 48, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Adams
Andrus
Blake
Blegen
Brodie
Burdick
Buttz
Carter
Chapman
Church
Connolly
Crawford
Elhard
Evans
Flamer
Ganssle
Giedt

Messrs.—

Hanawalt
Hankinson
Hanson
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Mathews
Martin of Billings
McDowall
Miller
Mockler
Monek
Morin
Murphy
Parkhill

Messrs.—

Pugh
Purdon
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Stevens
Streeter
Swendseid
Thoreson
Treat
Wake
Welford

Those who voted in the negative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Brotnov
Burgum
Casey
Collins
Cunningham
Dean
Duncan
Freeman
Garden
Gibbens
Graham
Grant

Messrs.—

Griffith
Halaas
Hallick
Haugen
Hemmingsen
Hosford
Johnson of Pembina
Law
Martin of Morton
Midgarden
Moore
Nelson of Steele
Nelson of Traill
Oveson
Peake
Piper

Messrs.—

Plath
Putnam
Sorley of Grand Forks
Sorlie of Traill
Shirley
Stavens
Steen
Storey
Tofsrud
Tufte
Ueland
Walker
Watts
Wedge
White
Mr. Speaker

Absent and not voting:

Messrs.—

Dibley

Messrs.—

Shannafelt

Messrs.—

Syvertson

Messrs. Dibley, Shannafelt and Syvertson being excused.
So the motion prevailed.

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Peake
Adams	Halaas	Piper
Anderson, Grand F'rks	Hallick	Plath
Anderson, Bernt	Hanawalt	Pugh
Anderson, O. P. N.	Hankinson	Purdon
Andrus	Hanson	Putnam
Blake	Haugen	Restemayer
Blegen	Hemmingsen	Robb of Morton
Brodie	Jensen	Schlenker
Brotnov	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Buttz	Jones of Barnes	Sorlie of Traill
Carter	Jones of Ransom	Shirley
Casey	Law	Stavens
Chapman	Martin of Morton	Steen
Church	Martin of Billings	Stevens
Collins	Mathews	Storey
Connolly	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Duncan	Monek	Treat
Evans	Moore	Tufte
Flamer	Morin	Ueland
Freeman	Murphy	Wake
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Parkhill	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Hosford	Simpson
Dibley	Johnson of Ward	Syvertson
Elhard	Rose of Dickey	Walker
Griffith	Shannafelt	

Mr. Watts voted in the negative.

Messrs. Dibley, Shannafelt and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 225 passed be re-

considered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker announced a recess for ten minutes.

AFTER RECESS.

GENERAL ORDERS.

Mr. Tufte moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Streeter to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

And recommend that the same be amended as follows:

Strike out all of lines 14 and 15 on page 2 of the printed bill.

Strike out the figures "5,000.00" in line 16 on page 2 of the printed bill and insert in lieu thereof the figures "3,500.00."

Strike out the figures "\$9,235.00" in line 17 on page 2 of the printed bill and insert in lieu thereof the figures "\$4,235.00."

Strike out all of section 2 on page 2 of the printed bill and insert in lieu thereof the following:

"SEC. 2. That the board of trustees of said soldiers' home are authorized to expend, in addition to the amounts hereinbefore appropriated from the interest and income fund of said institution for purposes hereinafter mentioned, the following amounts:

"For re-construction of sewer and plumbing, \$3,000.00.

"For remodeling dormitory, \$500.00.

"For completing administration building, \$1,500.00.

"Provided, that the expenditure herein authorized shall not be made until there is a sufficient surplus in the interest and income fund over and above the amount required for maintenance to pay for the work so ordered."

And when so amended recommend the same do pass

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of

the North Dakota Live Stock Association and prescribing its duties.

And recommend that the same be amended as follows:

In line 1, page 1, of the printed bill, strike out the words "one thousand" and insert in lieu thereof the words "five hundred."

Strike out all of lines 10, 11, 12, 13 and 14 on page 1 of the printed bill and insert in lieu thereof the following: "The appropriation herein mentioned shall be expended under the direction of the commissioner of agriculture who shall publish and distribute information furnished by the live stock association to an extent not exceeding this appropriation."

And when so amended recommend the same do pass.

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

And recommend that the same be amended as follows:

In line 3, page 1, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five."

In line 3, page 1, of the printed bill, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

And when so amended recommend the same do pass

D. R. STREETER,

Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Mr. Peakè moved

That the rules be suspended and that House Bill No. 28 be considered engrossed and that it be placed on its third reading and final passage.

Which motion prevailed, and

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 12, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Schlenker
Blegen	Hosford	Sinclair
Brodie	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Sargent	Shirley
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Casey	Jones of Ransom	Stevens
Chapman	Law	Storey
Church	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	Midgarden	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Flamer	Morin	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Watts
Gibbens	Farkhill	Wedge
Giedt	Peake	Welford
Graham	Piper	White
Grant	Plath	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Garden	Oveson
Collins	Martin of Morton	Shannafelt
Dibley	McDowall	Simpson
Evans	Murphy	Syverson

Mr. Hankinson passed.

Messrs. Dibley, Shannafelt and Syverson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 28 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Peake moved

That the rules be suspended and that House Bill No. 179 be considered engrossed and that it be placed on its final passage.

Which motion prevailed, and

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 6, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Nelson of Steele
Adams	Griffith	Nelson of Traill
Anderson, Grand F'rks	Halaas	Parkhill
Anderson, Bernt	Hallick	Peake
Anderson, O. P. N.	Hanawalt	Plath
Andrus	Hankinson	Purdon
Blake	Hanson	Putnam
Blegen	Haugen	Restemayer
Brodie	Hemmingsen	Rohs of Morton
Brotnov	Hosford	Rose of Dickey
Burdick	Jensen	Sinclair
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Connolly	Law	Streeter
Crawford	Martin of Morton	Swendseid
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Treat
Duncan	Midgarden	Ueland
Elhard	Miller	Wake
Flamer	Mockler	Walker
Freeman	Monek	Watts
Ganssle	Moore	Wedge
Garden	Morin	White
Gibbens	Murphy	Mr. Speaker
Giedt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Steen	Tufte
Shirley	Tofsrud	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	McDowall	Schlenker
Collins	Oveson	Shannafelt
Dibley	Piper	Simpson
Evans	Pugh	Syvertson

Messrs. Dibley, Shannafelt and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 179 passed be re-

considered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Peake moved

That the rules be suspended and that House Bill No. 131 be considered engrossed and that it be placed on its third reading and final passage.

Which motion prevailed, and

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 88, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Piper
Anderson, Grand F'rks	Hallick	Plath
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brodie	Hosford	Sinclair
Brotnov	Jensen	Sorley of Grand Forks
Burdick	Johnson of Pembina	Sorlie of Traill
Buttz	Johnson of Sargent	Shirley
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Thoreson
Dean	Midgarden	Tofsrud
Duncan	Miller	Treat
Elhard	Mockler	Tufte
Flamer	Monek	Ueland
Freeman	Moore	Wake
Ganssle	Morin	Walker
Garden	Murphy	Watts
Gibbens	Nelson of Steele	Wedge
Giedt	Nelson of Traill	Welford
Graham	Parkhill	White
Grant	Peake	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—

Aaker
Burgum
Collins
Dibley

Messrs.—

Evans
McDowall
Oveson
Pugh

Messrs.—

Schlenker
Shannafelt
Simpson
Syvertson

Messrs. Dibley, Shannafelt and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Burdick moved

That Senate Bill No. 4 be made a special order for next
Tuesday at 3 o'clock p. m.

Which motion prevailed.

On request of Mr. Schlenker the privileges of the floor
were extended to Mr. H. F. O. O'Heir.

On request of Mr. Murphy the privileges of the floor were
extended to Professor Schmidt of Jamestown.

Mr. Streeter moved

That the house take a recess until Saturday at 10 o'clock
a. m.

Which motion prevailed, and

The house took a recess.

P. D. NORTON,
Chief Clerk.

FORTY-FIFTH DAY—AFTER RECESS

AND

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 23, 1907.

The house assembled at 10 o'clock a. m. pursuant to a recess taken.

Mr. Stevens moved

That the house proceed to the first and second reading of House and Senate Bills.

Which motion prevailed.

Mr. Stevens moved

That all bills on apportionment be withdrawn from committee of the whole and referred to committee on apportionment.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF
HOUSE BILLS.

Mr. O. P. N. Anderson introduced

House Bill No. 314,

A bill for an act amending section 605 of the Revised Codes of 1905, relating to the qualifications of electors.

Was read the first and second times and

Referred to the committee on state affairs.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 162,

A bill for an act to amend section 894 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and
Referred to the committee on education.

Also,

Senate Bill No. 176,

A bill for an act to prohibit misrepresentations by life insurance companies.

Was read the first and second times, and
Referred to the committee on insurance.

Also,

Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

Was read the first and second times, and
Referred to the committee on elections and privileges.

Also,

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819, 836, 847, 879, 892, 912 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and
Referred to the committee on education.

Also,

Senate Bill No. 234,

A bill for an act to regulate, restrain, and prohibit the soliciting, giving, issuing, and accepting of free passes, free tickets, franks and other free privileges, and to prevent discrimination in the issuing and selling of tickets, passes, franks, and other privileges.

Was read the first and second time, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 200,

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers.

providing for its enforcement by the department of agriculture and labor.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.

Was read the first and second time, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and township surveyors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Was read the first and second time, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 273,

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for 1905, relating to the construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof.

Was read the first and second time, and
Referred to the committee on railroads.

Also,

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Was read the first and second time, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 249,

A bill for an act to amend section 2928 of the Revised

Codes of the state of North Dakota for 1905, relating to establishing permanent corners in cities and towns.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Also,

Senate Bill No. 225,

A bill for an act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 67.

A bill for an act to amend section 5404 of the Revised Codes of 1905, relating to effect of highways or railways, on right of way therefor, over or upon the lands conveyed.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 183,

A bill for an act regulating the retirement of capitol stock in certain cases.

Was read the first and second times, and

Referred to the committee on insurance.

Also,

Senate Bill No. 301,

A bill for a joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assist-

ance in the various state offices and authorizing an appropriation for the payment thereof.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 194,

A bill for an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 158,

A bill for an act to amend section 1172 of the Revised Codes of 1905, relating to the industrial school and school for manual training.

Was read the first and second times, and
Referred to the committee on education.

GENERAL ORDERS.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Rose of Dickey to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration
House Bill No. 154,

A bill for an act to amend section 1508 of the Revised Codes of 1905, relating to the assessment of bank stocks.

And recommend that the same be amended as follows:

In printed bill strike out all of line 16 after the word "profits;" strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and in line 27 strike out the words "capital and surplus" and in lieu thereof insert "and the names and addresses of the owners of such shares of capital stock, and shall also furnish him a statement of the amount of its net investment in real estate which, in whole or in part, is being used and occupied by such bank or banking institution for its banking office or principal place of business; which real estate shall be returned in the name of the bank and shall be assessed and taxed as other real estate under this article. The assessor

shall deduct from the aggregate amount of such capital stock, reserve or surplus fund and undivided profits the amount of its net investment of such real estate of such banking institution."

And when so amended recommend the same do pass.

Also,

House bill No. 15,

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.

And recommend that the same be amended as follows:

Strike out all of section 1 and insert in lieu thereof the following:

"SECTION 1. At all railroad stations or sidings where no agent of the company maintaining such station or siding is employed, provision shall be made by such company for promptly sealing all cars loaded at such station or siding and receipting to the shipper for the contents of such cars. And such sealing and receipting shall be done within twenty-four hours after the time that written notice has been served upon the station agent of such railroad company at the station nearest to such sidetrack or where the conductor of any freight train passing through such station or siding, where the agent is stationed. The notice shall state the number and initials of each car and the contents thereof, and twenty-four hours after the service of said notice the contents of such car shall be deemed to be in the possession of the railroad company, to all intents and purposes the same as if a regular receipt or bill of lading had been issued by the said railroad company therefor."

That all of section 2 be stricken out and that section 3 be numbered section 2.

And when so amended recommend the same do pass.

Also,

House Bill No. 56,

A bill for an act to define who are public threshermen and to provide a security for the payment of the operating expenses of their machines.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. ROSE,
Chairman.

Mr. Sorley of Grand Forks moved

That the report of the committee except that part referring to House Bill No. 56 be adopted.

Which motion prevailed, and

The report with the exception of House Bill No. 56 was adopted.

Mr. Stevens moved

That that part of the report of the committee of the whole referring to House Bill No. 56 be deferred until next Tuesday.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 23, 1907.

The house assembled at 2 o'clock pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call dispensed with.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-fourth day after recess have carefully examined the same and recommend that the same be corrected as follows:

Page 1, line 15, strike out incomplete word at beginning of said line and insert in lieu thereof the words "and maintenance."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-fifth day have carefully examined the same and recommend that the same be corrected as follows:

Page 11, line 23, strike out the word "for."

Page 13, strike out lines 6 and 7 from foot of page.

Page 32, strike out line 7 from foot of page and insert in lieu thereof the following: "Absent and not voting."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Martin of Billings presented the following petition:
Members of Legislature, Bismarck, North Dakota:

DEAR SIRs: A copy of House Bill 88, entitled an Act to Define and Regulate the Operation of Threshing Machine Outfits, and the Payment for Labor, Groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000 whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

FRED C. GRAF,
And Thirty Others.

REPORT OF STANDING COMMITTEES

The committee on fish and game made the following report:

Mr. Speaker:

Your committee on fish and game to whom was re-referred House Bill No. 87,

A bill for an act for the protection of game, fish, wild

birds, and fur-bearing animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

Have had the same under consideration and recommend that the same be amended as follows:

Section 46, line 4, of the printed bill, after the word "any" insert the word "cultivated."

In line 8 of the same section after the word "any" insert the word "cultivated."

In line 11 strike out the words "or controlled" and insert in lieu thereof the words "and cultivated."

And when so amended recommend the same do pass.

MARTIN THORESON,

Chairman.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Have had the same under consideration and recommend that the same be amended as follows:

Amend section 1 of the printed bill by inserting at the end thereof the following: "It shall be liberally construed so that the real will of the electors may not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice or the conducting of the primary or certify the results thereof."

Amend section 2 of the printed bill by striking out the entire section and inserting in lieu thereof: "On the last Wednesday in June of every year in which occurs a general election there shall be held, in lieu of party caucuses and conventions, a primary election in the various voting precincts of this state, for the nomination of candidates for the following offices to be voted for at the ensuing general election, viz: Members of congress, state officers, county officers, district assessors and the following officers on the years of their regular election, viz. Presidential electors, judges of the supreme and district courts, members of the legislative assembly and county commissioners, and United States senator in the year previous to his election by the legislative assembly.

For special elections for the officers enumerated herein the nominations shall be made as otherwise provided by law."

Amend by adding: "Section 2a. In the year of the election of presidential electors there shall be elected at such primary election members of the national committee of the respective political parties."

Amend section 3 by adding after the word "congress" in line 2 of the printed bill the following: "Members of the national committee, presidential electors."

Amend section 3 by striking out the word "certified" in line 11 of the printed bill.

Amend section 3 by striking out the figure "2" in line 13 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "twenty" in line 2 of the printed bill and inserting in lieu thereof the word "thirty;" and amend said section 4 by striking out the word "twentieth" in line 3 of the printed bill and inserting in lieu thereof the word "thirtieth."

Amend section 4 by striking out the words "the highest number" in line 20 of the printed bill and inserting in lieu thereof the words "a majority."

Amend section 4 by striking out the word "certified" in line 24 of the printed bill.

Amend section 4 by striking out the figure "2" in line 29 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "thirty" in line 31 of the printed bill and inserting in lieu thereof the word "ten;" and by striking out in the same line the word "fifteen" and inserting in lieu thereof the word "five."

Amend section 4 by adding after the word "commissioners" in line 34 of the printed bill the following: "District assessors."

Amend section 4 by adding after the word "provided" in line 39 of the printed bill the following: "When a legislative district is composed of more than one county the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties composing such legislative districts the names of the candidates filing such petitions."

Amend by striking out all of section 5 of the printed bill and inserting in lieu thereof: "No petition shall be circulated or signed more than ninety days previous to the time when any petition is required to be filed as herein provided for, and any signatures to a petition secured prior to such ninety days shall not be counted."

Amend section 6 of the printed bill by striking out the comma after the figure "3" in line 1 and inserting in lieu thereof the word "and" and by striking out after the figure "4" the word "and" and the figure "5."

Amend section 7 by adding after the word "placed" in line 2 of the printed bill the following: "Over a name or."

Amend section 9 by striking out all of section 9 after the figure "9" and inserting in lieu thereof: "The primary election and primary election ballot shall be provided for, arranged and conducted and all expenses paid as now provided by law for general elections, except as otherwise provided for in this act."

"There shall be separate ballots for each party or principle and they shall all be of the same size, texture and color, excepting all sample ballots, which shall be on tinted paper."

"The ballot shall be entitled "primary election ballot."

"The names of all aspirants for nomination of each political party or principle for the different offices shall be arranged in separate groups in their order, on separate ballots under a proper political designation, leaving as many blank lines or spaces below each name or group of names as there are nominations to be made on which may be written or placed a name or a printed sticker attached for the nomination of the candidate, provided that no sticker or name written shall be counted unless placed in the space or spaces provided for that purpose. No square shall be left at the head of the ballot."

"At the head of each ballot shall be placed the title of the political party or principle that it represents."

"At the left of each group shall be placed the title of the office followed by a bracket indicating the number of names in such group. Above each

group there shall be a space in which shall be printed the number of names in that group to be voted for, as follows: 'Vote for.....name (or names only).'

"Immediately above the names of the candidates to be voted for shall be printed the following:

"To vote for a person whose name is printed on the ballot mark a cross (X) in the square at the right of the name of the person for whom you desire to vote.

"To vote for a person whose name is not printed on the ballot, write or paste his name in the blank space provided for that purpose.'

"Each ballot shall contain two columns, and each column is to have as nearly as possible the same number of names of candidates thereon, except that no groups or spaces beneath any group shall be divided, and the candidates for the various offices shall appear upon the ballot in the following order commencing at the column to the left, viz:

"1st. 'Congressional—
United States senatorVote for one.
Representatives in congressdistrict..... vote for.....

"2nd. 'Presidential Electors—
Presidential electorVote for one.

"3d. 'Member of the National Committee—
Member of the national committeeVote for one.

"4th. 'State Officers—
GovernorVote for one.
Lieutenant governorVote for one.
Justice of the supreme courtVote for.....
Secretary of stateVote for one.
State auditorVote for one.
State treasurerVote for one.
Superintendent of public instructionVote for one.
Attorney generalVote for one.
Commissioner of insuranceVote for one.
Commissioner of agriculture and laborVote for one.
Commissioner of railroadsVote for three.

"District Judges—
For district judgedistrictVote for one.

"Legislative—
State senatordistrictVote for one.
Members of the house of representativesVote for.....

"County—
SheriffVote for one.
AuditorVote for one.
TreasurerVote for one.
Clerk of district courtVote for one.
Register of deedsVote for one.
State's attorneyVote for one.
County judgeVote for one.
Superintendent of schoolsVote for one.
Public administratorVote for one.
County surveyorVote for one.
County coronerVote for one.
County commissionerdistrictVote for one.
District assessordistrictVote for one.
County constableVote for.....
County justices of the peaceVote for.....

"A square shall be placed following the name to the right of every candidate and the voter shall place a cross (X) in such square following the name of each person he desires to vote for."

Amend section 10 by striking out the figure "5" in line 5 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 11 of the printed bill by adding at the end of said section the following: "Provided, however, that when a vacancy occurs by reason of no petition having been filed by any person for such office, then such vacancy is to be filled in like manner by the committee of the party in which such vacancy occurs, at least fifteen days before the date of the primary election; in which case the candidates selected to fill such vacancy shall pay a fee equal to one-half of the amount herein required from a candidate on the presentation of his petition.

"Provided, further, that in case of the election, at the general election, of any candidate who has not paid a full primary fee for a place on the ballot at the last preceding primary election, such candidate shall before qualifying for the office to which he has been elected, pay to the proper officer such a sum as will make his payment as a primary fee equal to the full primary fee, as is required by this act"

Amend section 13 by striking out all after the figure "13" in line 1 of the printed bill and inserting in lieu thereof the following: "The candidate receiving the highest number of votes for the office of United States senator shall be the nominee of his party at the succeeding session of the legislative assembly, which is to elect a United States senator.

"Every candidate, except candidates for United States senator, for any office, receiving the highest number of votes under the provisions of this act, shall be the nominee of his political party for such office, to be voted for at the ensuing general election; provided, that in cases where there are two or more candidates to be selected for any office the candidates having respectively the highest number of votes therefor shall be the nominees for such offices to be voted for at the ensuing general election; provided further, that every candidate must receive at the primary election at least the number of votes equal to the number on his petition, as required by sections 3 and 4 hereof in order to be placed upon the general election ballot.

"The candidate receiving the highest number of votes for the office of member of the national committee shall be the duly elected member of the national committee of his party and shall hold such office from the time the national convention is held in the year of his election until the date when the national convention is held four years thereafter, or until his successor is elected, and it shall be the duty of the secretary of the state as soon as the call for the national convention is made to send to the chairman of each of the national central committees a certificate under his hand and seal stating that this state will elect a member of the national committee on the last Wednesday in June of that year. In case the national convention of either party is held after such date, then he shall certify to the chairman of the national committee whose convention has been held the names of the national committeemen elected."

Amend section 14 in line 2 of printed bill by adding the letter "s" after the word "section" and insert thereafter "614" and the word "and."

Amend section 15 of the printed bill by striking out all of said section after the second line therein.

Amend section 16 by striking out the word "fifteenth" in the second line of the printed bill and insert in lieu thereof the word "first."

Amend section 17 in line 3 of the printed bill by striking out the words "are hereby made applicable" and insert in lieu thereof "so far as practicable, shall apply."

Amend section 17 in line 4 of the printed bill by inserting after the word "to-wit" "605."

Amend section 17 of the printed bill in line 7 by inserting after "672" "673;" and in the same line by inserting after "683" "684."

Amend section 17 of the printed bill in line 8 thereof by striking out "688, 689, 690, 691, 692, 693, 694, 695, 696" and "697."

Amend section 19 of the printed bill in line 1 thereof by striking out "9" and insert in lieu thereof "8."

In section 23, line 23, after the word "congress" and insert the words "presidential electors, member of national committee."

Amend section 23 in line 32 of the printed bill by striking out the letter "a" and insert in lieu thereof "the official." In same section and line add the letter "s" after the word "newspaper" and insert thereafter "of the county."

Strike out all of section 23 in the printed bill after the word "newspaper" in line 32 thereof.

Amend section 24, line 4, of the printed bill by striking out the word "August" and insert in lieu thereof the word "July;" in same section, line 7, of the printed bill, amend by inserting after the word "congress" "presidential electors, national committeemen."

Amend section 25, line 4, of the printed bill, by striking out the word "of" and insert in lieu thereof the word "after."

Amend section 26 in line 3 of the printed bill by striking out the word "first" and insert in lieu thereof the word "second." In line 4 of the printed bill, same section, strike out the word "September" and in lieu thereof insert the word "August."

Amend section 27 by striking out the words "the highest number" in line 11 of the printed bill and inserting in lieu thereof the words "a majority;" and by inserting after the word "of" where it first appears in said line the words "all the."

Amend section 27 by striking out the word "published" after the word "and" in line 13 of the printed bill and all of line 14, inserting in lieu thereof the following: "Shall certify to the county auditor of each county the names of all persons nominated at said primary election."

Amend section 28 of the printed bill by adding at the end of said section "and national committeemen."

Amend section 29 of the printed bill by striking out all of said section after the number 29 in the first line thereof and insert in lieu thereof "when a vacancy occurs by death or resignation of any aspirant for nomination before the primary election ballots are printed in legislative districts containing more than one county, the county central committee of the party in the county in which such vacancy occurs shall meet and by a vote of the majority of such committee shall fill such vacancy, and they shall by a certificate of nomination notify the county auditors of the several counties of which said district is composed and the auditors of such county shall place the names on the primary election ballots where the vacancy exists.

"Should a vacancy occur in the legislative office in a county composed of one county or less, or in a commissioner's district, or assessor's district then members of the county central committee of the party residing in the district in which such vacancy occurs shall meet and fill such vacancy and shall certify to the county auditor the nomination made to fill said vacancy. On receipt of said certificate of nomination the county auditor shall place the name of such nominee upon the primary election where such vacancy exists."

Amend section 30 of the printed bill by striking out all of section after the number "30" and insert in lieu thereof "whenever it shall be made to appear by affidavit to the supreme court or to the district court of the proper county: that an error or omission has occurred or is about to occur in the placing of any name on an official primary election ballot; that any error has been or is about to be committed in printing such ballot, or that any wrongful act has been or is about to be done by any judge or clerk of a primary election, county auditor, canvassing board, member thereof, or other person charged with any duty concerning the primary election; or that any neglect of duty has occurred or is about to occur, such judge shall order the officer or person charged with such error, wrong or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty, or show cause at a time and place to be fixed by the court why he should not do so. Failure to obey the order of such judge shall be contempt of court."

Amend section 31 of the printed bill by striking out all of said section after the figures 31 in line 1 of the printed bill and insert in lieu thereof "Any candidate at a primary election desiring to contest the nomination of another candidate or candidates for the same office, may proceed by affidavit within ten days after the completion of the canvass. In case the contestant shall set forth in his affidavit, upon information and belief, that the ballots in any precinct have not been correctly counted, and that he has been prejudiced thereby, the judge shall make an order requiring the custodian of such ballots to appear before him at such time and place, and abide the further order of the court. At the time and place stated, the ballot boxes shall be opened and the ballots recounted in the presence of the court. If it should be found that a mistake has been made in counting such ballots, then the contestant shall be permitted upon application, to amend his affidavit of contest by including such additional facts therein.

"All testimony and depositions taken in contests brought under the provisions of this article shall be taken in the same manner as in civil actions and depositions may be taken in more than one place at the same time on leave of the court, and all matters relating to such contests shall be heard and tried as nearly as may be as civil actions are tried except as otherwise provided herein. The court shall make its findings of fact and conclusions of law. Appeals from final judgment and decisions of such contests may be taken without making a motion for a new trial in the district court in the manner provided for in the code of civil procedure, except that the undertaking on appeal shall be in a sum to be fixed by the judge, not less than five hundred dollars, and shall be approved by the judge and by the clerk of the district court of the proper county or subdivision under the directions of the judge.

"Appeals to the supreme court under the provisions of this article must be taken within ten days after notice of entry of final judgment and the party appealing must immediately procure the transmission of the record on such appeal to the clerk of the supreme court and such appeal may be brought on for hearing before the supreme court at any time such court shall be in session upon five days notice from either party; and the same shall be heard and determined in a summary manner except as otherwise provided in this article. The provisions of the code of civil procedure are applicable to and constitute the rules of practice in the proceedings mentioned in this article and the provisions of the civil code of procedure relative to appeals in civil actions, except in so far as they are inconsistent herewith apply to the proceedings mentioned in this article."

Amend section 32 of the printed bill by striking out all of said section after the number "32" in line 1 and in lieu thereof insert "The provisions of the statutes now in force in relation to the holding of elections, the solicitation of votes, the manner of conducting elections, of counting the ballots and making return thereof, and all other kindred subjects shall apply to all primaries in so far as they are consistent with this act; the intent of this act being to place the primary election under the regulation and protection of the laws now in force as to election."

Amend section 33 of the printed bill by striking out all of said section after the number "33" in the printed bill and insert in lieu thereof "in case of a tie vote the same shall be determined by the canvassing board or boards concerned, at a time and place fixed by them in such manner as they may designate in the presence of the candidate upon at least five days' notice to such candidate.

Amend section 34 of the printed bill by striking out all of said section after the number 34 in first line thereof and insert in lieu thereof the following: "nothing herein contained shall be construed as appealing or being in conflict with section 501 of the Revised Codes 1905."

Amend section 35 of the printed bill by striking out all after the number 35 in first line thereof and insert in lieu thereof "all fees paid to the secretary of state by candidates for the legislative assembly shall be paid by

the secretary of state forthwith to the various county auditors in the state where such candidates reside and in case any legislative district is composed of more than one county such fee shall be paid to such counties in equal proportions, which fees are to be turned into the general fund of said county auditor."

Amend section 36 of the printed bill by striking out all after the number 36 of said section and insert in lieu thereof "all acts or parts of acts in conflict with this act are hereby repealed in so far as they relate to the provisions of this act."

Amend section 37 of the printed bill by striking out all of said section after the number 36 in the first line thereof and insert in lieu thereof the following: "In case any of the provisions of this act should be declared unconstitutional that shall not affect the validity of any of the other provisions of this act."

Amend the printed bill by striking out all of section 40 and 41.

Amend the printed bill by striking out the number 42 in section 42 thereof and insert in lieu thereof the number "38."

And when so amended recommend that the same do pass.

And when so amended recommend the same do pass.

M. A. SHIRLEY,
Chairman.

The committee on fish and game laws made the following report:

Mr Speaker:

Your committee on fish and game laws to whom was referred

House Bill No. 256,

A bill for an act entitled an act creating the office of district game wardens for the state of North Dakota and providing for the enforcement of the game laws thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MARTIN THORESON,
Chairman.

Mr. Thoreson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 280,

A bill for an act to amend sections 9455, 9457, 9458, 9460, and 9461 of article 1, chapter 75 of the Penal Code, Revised Codes of 1905, relating to game, and to re-enact such sections as thus amended.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MARTIN THORESON,
Chairman.

Mr. Thoreson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 50,

A bill for an act to amend section 9455 of the Revised Codes of North Dakota, relating to game.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MARTIN THORESON,
Chairman.

Mr. Thoreson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House Bill No. 235,

A concurrent resolution.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "six per cent" and insert in lieu thereof "five per cent," wherever it appears in the bill.

And when so amended recommend the same do pass.

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 160,

A bill for an act to amend section 182 of the Revised Codes of 1905, relating to assignee of purchasers of school lands.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. Sorlie moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. Sorlie moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 283,

A bill for an act to amend section 408, of the Revised Codes of 1905, relating to the bonding of certain officers.

Have had the same under consideration and recommend that the same do pass.

K. O. BROTNOV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 94,

A bill for an act to provide for the safekeeping of the
public funds.

Have had the same under consideration and recommend
that the same be amended as follows:

In section 5, line 18, strike out word "more" and substitute therefor the
word "less."

In section 14 change "sections 236, 237, 238, 239, Revised Codes of 1899"
to "sections 231, 232, 233 and 234, Revised Codes of 1905."

Amend section 2, line 2, of the printed bill, by inserting after the word
"bond" the words "or bonds;" and by striking out the figures "\$250,000"
and inserting in lieu thereof "\$500,000."

And when so amended recommend the same do pass

O. P. N. ANDERSON,
Chairman.

Also,

House Bill No. 294,

A bill for an act to amend section 2602 of the Revised
Codes of North Dakota, 1905, relating to fees of sheriffs.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely
postponed.

Also,

Senate Bill No. 151,

A bill for an act entitled "An act to prohibit unfair com-
mercial discrimination between different sections, commu-
nities, or localities, or unfair competition, and providing
penalties therefor.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 174,

A bill for an act to amend sections 1531 of the Revised Code of 1905 of the state of North Dakota. The same relating to the state board of equalization.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 220,

A bill for an act amending sections 5 and 6 of the irrigation code of this state, approved March 1, 1905, and making the state engineer ex officio coal mine inspector of the state.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title by striking out the figures "5" and "6" in the title and substitute therefor the figures "7608" and "7609;" also strike out the words "irrigation code of this state approved March 1" and substitute therefor "Revised Codes of 1905."

Amend section 1 by striking out the figures "5" and "6" and substitute therefor the figures "7608" and "7609." Strike out the words "irrigation code of this state" and substitute therefor "Revised Codes of 1905."

Strike out the figure "5" in line 3, section 5, and substitute therefor the figures "7608." In line 9, after the word "qualified" insert the following: "He shall not engage in private practice."

In line 28, section 7608 as amended, strike out "he shall not engage in private practice" and insert the following: "Whenever the board of university and school lands shall request the state engineer to investigate any particular piece of land granted to the state under the enabling act for the purpose of determining whether or not it is coal-bearing within the meaning of the constitution, it shall be his duty to do so and report his conclusions and the basis on which they are founded to said board; but in making such investigations and reports he shall, whenever practicable, call to his assistance and consult with the dean of the school of mines (College of Mining Engineering) and the professor of geology at the agricultural college."

Strike out the figure "6" in line 29 and insert the number "7608."
In line 1 of the emergency clause strike out the following: "Section 2."
And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,

Senate Bill No. 114,

A bill for an act entitled, "An act to amend section 10,381 of the Revised Code of 1905, relating to the manner of disposing of the product of the state binder twine plant."

Have had the same under consideration and recommend that the same be amended as follows:

Add to the title the words "and prescribing duties of accounting officer."

Amend by adding the following:

"Sec. 2. That section 10382 of the Revised Codes of North Dakota for 1905 be amended to read as follows:

"Sec. 10382. Duty of Accounting Officer.] It shall be the duty of the warden of the state penitentiary to keep a true and accurate account of all notes, evidences of indebtedness and money received by him for the sale of the product of said plant, and at the end of each month to turn all money so received over to the state treasurer and take his receipt therefor, and he shall at the same time furnish the state auditor with a statement showing the amount of same and the source from which it came; and all sums so placed in the hands of the state treasurer, arising from sales of the product of said plant, shall be placed to the credit of the 'operating fund' hereinbefore mentioned and referred to. On the failure of the warden to carry out any of the provisions hereof he shall be subject to a fine of not less than one hundred dollars or more than five hundred dollars."

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,

House Bill No. 72,

A bill for an act to amend section 814 of the Revised Codes of 1905, making it optional with school treasurers to publish reports.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 252,

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 295,

A bill for an act to provide for payment of per diem of the trustees of the state university of the state of North Dakota and prescribing what actual and necessary expenses shall be and for what time per diem shall be allowed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 227,

A bill for an act to amend section 2441 Revised Codes of 1905, relating to designation of county depositories.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 272,

A bill for an act authorizing and empowering mechanics, watch makers, gold smiths, and repairers to sell articles and implements to reimburse them for labor or material expended on such articles and implements; and regulating the disposition of the proceeds of such sale.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Have had the same under consideration and recommend that the same be amended as follows:

The bill to be changed to read as follows:

"For an act providing to provide for the erection of suitable enclosures and workhouses in which to work and confine prisoners sentenced to hard labor in counties having a population of five thousand or more inhabitants."

Strike out all up to and including the word "of" in line 1, section 1, and between the words "board" and "county" of same line insert the word "of."

In line 2 change the word "all" to "any" and the word "counties" to "county."

In line 3 change the word "ten" to "five," the word "to" to "may," and after the word "workhouse" in same line add the words "or enclosure."

Strike out the word "and" between "tools" and "materials" in line 7; and to the bill add the following: "And the necessary guards to superintend the work and prevent the escape of said convicts. The sheriff of the county to have full control and care of said work and convicts."

And when so amended recommend the same do pass.

K. O. BROTONOV,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 23, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 205,

A bill for an act entitled an act to amend sections 1819,

1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the Revised Codes of 1905, the same being embraced in chapter 23 of the Political Code relating to drainage.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Also,

Senate Bill No. 9,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Also,

Senate Bill No. 229,

A bill for an act amending sections 1278 and 1279 of the Revised Codes of North Dakota.

Also,

Senate Bill No. 250,

A bill for an act to amend section 2771 of the Revised Codes of 1905, regulating sewers.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Very respectfully

J. W. FOLEY,

Secretary.

The committee on taxation and tax laws made the following report:

Mr. Speaker:

Your committee on taxation and tax laws to whom was referred

House Bill No. 259,

A bill for an act to provide for the collection of delinquent personal taxes.

Have had the same under consideration and recommend that the same do pass.

O. F. TOFSRUD,

Chairman.

Mr. O. F. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 258,

A bill for an act providing for the creating of a fund by and in each of the several state banks of this state, for the payment of unsecured deposits in any of such banks that may hereafter become insolvent.

Also,

House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Also,

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Also,

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

And find the same correctly engrossed.

K. O. BROTN OV,

Chairman.

Mr. Brotnov moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr Speaker :

Your committee on house employees offers the following resolution, and moves its adoption:

Resolved, That in the judgment of the house it is deemed necessary for the proper transaction of business that two additional clerks be appointed. Therefore the speaker is hereby authorized to appoint such help and assign them to positions where, in his judgment, they are most needed.

Mr. Sorley of Grand Forks moved

That the resolution be adopted.

Which motion prevailed.

Mr. Anderson of Grand Forks offered the following resolution, and moved its adoption:

Be It Resolved by the House of Representatives of the State of North Dakota:

That the secretary of state is hereby directed to send copies of all public documents to all of the state educational institutions of higher learning.

Which motion prevailed, and

The resolution was adopted.

Mr. Streeter moved

That the hearing of the railroad commissioners be put over until Monday evening at eight o'clock.

Which motion prevailed.

The speaker appointed Mr. Streeter as a committee of one to confer with the railroad commissioners.

Mr. Tufte moved

That the rules be suspended and House Bill No. 275 be called from general orders and placed on its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 23, 1907.

Mr. Speaker:

I have the honor to return herewith the following concurrent resolution:

CONCURRENT RESOLUTION AND MEMORIAL TO CONGRESS
FOR CONSTITUTIONAL AMENDMENT.

WHEREAS, The recent investigation made by the senate of the United States as to the qualifications of one of its members has developed the fact that polygamy exists in several of the states notwithstanding the laws that exist in said states prohibiting the same; and

WHEREAS, The practice of polygamy is condemned by the lawabiding people of the United States, and there is a sentiment prevailing throughout the country for a more effectual remedy to eradicate the evil complained of by giving the federal courts jurisdiction over and control of that question as well as that of divorces, at the same time reserving to each state the right to make and enforce its own laws relating to marriages; therefore, be it

Resolved by the House of Representatives of North Dakota, the Senate Concurring, That the congress of the United States is hereby petitioned to take the necessary steps to provide for a constitutional amendment to be submitted to the several states, whereby polygamy and polygamous co-habitation shall be prohibited, by giving the federal courts jurisdiction to enforce any and all acts of the United States congress upon the subject of polygamy and polygamous practices, as well as upon uniform divorce laws throughout the several states. Be it further

Resolved, That the secretary of state be, and he hereby is, directed to transmit copies of this memorial to the senate and house of representatives of the United States and to the members of said bodies representing this state therein; also to transmit copies hereof to the legislature of all other states of the United States.

In which the senate has concurred.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Was read the third time.

The speaker called Mr. Tufte to the chair.

Mr. Stevens asked unanimous consent to amend the bill.

There being no objection,

Mr. Stevens offered the following amendment and moved its adoption:

Amend by inserting before word "he" in line 6, section 2, of printed bill, the following: "Provided the inspector of weights and measures or his deputy may test wagon scales oftener than once each year if he has reason to believe that the same are not weighing correctly."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended;

The roll was called and there were ayes 62, nays 1, absent and not voting 37.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Plath
Anderson, Grand Frks	Hallick	Purdon
Anderson, Bernt	Haugen	Putnam
Anderson, O. P. N.	Hemmingsen	Restemayer
Blake	Jensen	Rose of Dickey
Blegen	Johnson of Pembina	Sorley of Grand Forks
Brotnov	Johnson of Sargent	Sorlie of Trail
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Crawford	Martin of Morton	Streeter
Dean	Mathews	Thoreson
Dibley	McDowall	Tofsrud
Duncan	Midgarden	Treat
Ganssle	Mockler	Tufte
Garden	Morin	Ueland
Giedt	Murphy	Wake
Graham	Nelson of Steele	Welford
Grant	Oveson	Mr. Speaker
Griffith	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Pugh
Andrus	Hanawalt	Rohs of Morton
Brodie	Hankinson	Schlenker
Burdick	Hanson	Shannafelt
Burgum	Hosford	Simpson
Casey	Martin of Billings	Sinclair
Collins	Miller	Shirley
Connolly	Monek	Swendseid
Cunningham	Moore	Syverson
Elhard	Nelson of Trail	Walker
Evans	Peake	Wedge
Flamer	Piper	White
Freeman		

Mr. Watts voted in the negative.

Messrs. Shannafelt and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 275 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

UNFINISHED BUSINESS.

Mr. Sorley of Grand Forks moved

That the house concur in the senate Concurrent Resolution relating to climatic conditions and loss of life in North Dakota.

Which motion prevailed, and

The concurrent resolution was adopted.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Sorley of Grand Forks introduced

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Which was read the first and second times and

Referred to the committee of the whole.

Mr. Grant introduced

House Bill No. 316,

A bill for an act designating the time of commencement of the term of office of the register of deeds.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Tofsrud introduced

House Bill No. 317,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption from sale of real

estate for taxes, time of payment of subsequent taxes; and rate of interest thereon.

Which was read the first and second times, and
Referred to the committee on taxation and tax laws.

Mr. Sorlie of Traill introduced

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Which was read the first and second times, and
Referred to the committee on judiciary.

Mr. Stevens moved

That we proceed to the first and second reading of Senate Bills.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 9,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Was read the first and second times, and
Referred to the committee on counties and county boundaries.

Also,

Senate Bill No. 205,

A bill for an act entitled an act to amend sections 1819, 1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the Revised Codes of 1905, the same being embraced in chapter 23 of the Political Code relating to drainage.

Was read the first and second times, and
Referred to the committee on drainage.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Was read the first and second times and
Referred to the committee on state affairs.

Also,

Senate Bill No. 250,

A bill for an act to amend section 2771 of the Revised Codes of 1905, regulating sewers.

Was read the first and second time, and

Referred to the committee on municipal corporations.

Senate Bill No. 229,

A bill for an act amending sections 1278 and 1279 of the Revised Codes of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

On request of Mr. Jones of Ransom the privileges of the floor were extended to Rev. Edgar Jones.

On request of Mr. Ueland the privileges of the floor were extended to Mr. J. S. Potts of LaMoure county.

There being no objection the privileges of the floor were extended to Messrs. Martin, Hagg, Kidder, Petrie, Anderson and Langliers.

On request of Mr. Purdon the privileges of the floor were extended to Mr. F. E. Smith.

On request of Mr. Syvertson the privileges of the floor were extended to Mr. Swain Thorvaldson.

Mr. Stevens moved

That House Bill No. 315 be taken from the committee of the whole and be placed in order of its third reading, with the understanding that it can be amended.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 25, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aaker, Schlenker, Shannafelt, Shirley and Syvertson, who were excused.

Mr. Sorley of Grand Forks moved

That M. A. Shirley be excused for the balance of the term.

Which motion prevailed, and

Mr. Shirley was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-fifth day after recess have carefully examined the same and recommend that the same be corrected as follows:

Page 4, strike out lines 18 and 19; also lines 31, 32 and 33 and in lieu of the latter insert the following: "A bill for an act regulating the retirement of capital stock in certain cases."

Page 6, strike out lines 7, 8 and 9 from foot of page.

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Your committee on revision of the journal of the forty-seventh day have carefully examined the same and recommend that the same be corrected as follows:

Page 15, line 10 from foot of page, change word "printed" to "printing."
Page 28, line 21, add word "moved" to the end thereof.

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 267,

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the Revised Codes of 1905, relating to the removal of county seats."

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

COMMUNICATION FROM THE SECRETARY
OF STATE.STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE,
BISMARCK, February 23, 1907.*P. D. Norton, Chief Clerk, House of Representatives:*

SIR: I beg to state that I have forwarded the Concurrent Resolution introduced by Mr. Buttz relating to the denatured alcohol bill now pending in congress:

One copy to Hon. H. C. Hansbrough, Hon. P. J. McCumber, Hon. T. F. Marshall, and Hon. A. J. Gronna.

Very respectfully,

ALFRED BLAISDELL,
Secretary of State.

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE,
BISMARCK, February 23, 1907.

SIR: I beg to state that I forwarded the Substitute Concurrent Resolution offered by the senate for the House Concurrent Resolution introduced by Mr. Grant, and relating to the repeal of tariff on lumber and coal between the United States and Canada:

One copy to Theodore Roosevelt, president of the United States, Hon. H. C. Hansbrough, Hon. P. J. McCumber, Hon. T. P. Marshall, and Hon. A. J. Gronna.

Very respectfully,

ALFRED BLAISDELL,
Secretary of State.

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE,
BISMARCK, February 23, 1907.

SIR: I beg to state that I have forwarded two certified copies of Resolution introduced by Mr. Murphy resolving that the courteous and co-operative expression of the house of representatives be extended to the legislative assembly of the state of Minnesota.

Very respectfully,

ALFRED BLAISDELL,
Secretary of State.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 277,

A bill for an act entitled an act to amend sections 2366, 2367, 2368 and 2369 of the Revised Codes of 1905, relating to the removal of county seats.

Have had the same under consideration and recommend that the same be indefinitely postponed.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on highways and bridges made the following majority report:

Mr Speaker:

The majority of your committee on highways and bridges to whom was referred

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Have had the same under consideration and recommend that the same do pass.

(Signed.)

F. E. DIBLEY,
N. HEMMINGSON,
GEO. H. LAW,
F. B. CHAPMAN,
JOHN STEEN,
JOSEPH MORIN.

The committee on highways, bridges and ferries made the following minority report:

Mr. Speaker:

The minority of your committee on highways, bridges and ferries to whom was referred

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. E. BLAKE,
Minority.

Referred to general orders.

Also,

House Bill No. 257,

A bill for an act to authorize the purchase of tools and machinery for making roads.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. E. BLAKE,
Chairman.

Mr. Blake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:
Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 302,
A bill for an act to repeal section 3013 of the Revised
Codes of North Dakota for the year 1905, relating to bridge
funds.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 215,
A bill for an act to provide for the lighting of the executive
mansion with electricity to be furnished by the electric
light plant at the capitol.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House Bill No. 304,
A bill for an act to amend section 2612 of the Revised
Codes of 1905, relating to fees of county surveyors.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 147,

A bill for an act to amend section 1195 of the Revised Codes of North Dakota, of 1905, relating to the care of patients at the state hospital for the insane.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "collected," in line 13, section 2596, strike out all and insert the following:

"And in counties having a population of less than fifteen thousand, to be

ascertained as hereinafter provided, such amount so paid such register of deeds for salary and clerk hire shall not exceed the sum of five thousand dollars; and in counties having a population of more than fifteen thousand and less than twenty-five thousand, to be ascertained as hereinafter provided, such amount so paid to such register of deeds for salary and clerk hire shall not exceed the sum of seven thousand five hundred dollars; and in counties having a population of more than twenty-five thousand, to be ascertained as hereinafter provided, such amount so paid to such register of deeds for salary and clerk hire shall not exceed the sum of seventeen thousand five hundred dollars; provided, however, that all moneys received for compiling or the continuation of abstracts of title shall be turned over to the county treasurer, who shall credit the same to the county general fund. Such population shall be ascertained by taking the total number of votes cast for the office of governor at the last presidential election in said county and multiplying the same by five. Any officer who shall receive and appropriate to his own use and benefit any part of the salary allowed to any such clerk or deputy shall be guilty of a misdemeanor.

SEC. 2. Emergency.) Whereas, an emergency exists, in that there is now under our present law not sufficient clerk hire permitted for the prompt and accurate dispatch of business in the office of the register of deeds in some counties in the state, this act shall take effect immediately upon its passage and approval.

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,
House Bill No. 314,

A bill for an act amending section 605 of the Revised Codes of 1905, relating to the qualifications of electors.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
House Bill No. 219,

A bill for an act to amend sections 1378 and 1380 of the Revised Codes of 1905 relating to the locating and building of bridges.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title by striking out, after the figures "1905" the words "to read as follows" and insert in lieu thereof the following: "Relating to locating and building of bridges."

After the enacting clause insert the following:

"SECTION 1. That sections 1378 and 1380 of the Revised Codes of 1905 be amended to read as follows:"

After the word "commissioners," in line 10, section 1380, of the printed bill, insert the following: "Provided, however, that should an emergency arise, requiring the immediate rebuilding or repairing of any bridges, the board of county commissioners are hereby authorized to rebuild or repair, as the circumstance requires, and without advertising for bids, in case said work can be performed by a responsible party, at a price not to exceed the last bid accepted by said board of county commissioners for like work."

"Whereas an emergency exists, therefore, this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,

House Bill No. 192,

A bill for an act to amend sections 10381 and 10382 of the Revised Codes of 1905, relating to the establishment and regulation of twine and cordage plant.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 204,

A bill for an act to prohibit sales of merchandise in fraud of creditors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 120,

A bill for an act to repeal chapter 59 of the Session Laws of 1897 being section 5334 of the Revised Codes of 1905 in relation to the method of proof of written instruments and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

Also,

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of section 2 strike out the word "correctness" and insert in lieu thereof the word "incorrectness."

In line 3 of section 2 strike out the word "validity" and insert in lieu thereof the word "invalidity."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Have had the same under consideration and recommend that the same be amended as follows:

In title strike out the word "profane."

In line 1 of section 1 after the word "obscene" add the word "or."

In line 2 of section 1 strike out the words "or profane."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the enacting clause and insert in lieu thereof all of senate bill number 72 after the enacting clause.

And when so amended recommend the same do pass

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of section 1 strike out the following: "Within thirty days after the sale on such foreclosure" and insert in lieu thereof the following: "Prior to May 1st, 1907."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

Senate Bill No. 188,

A bill for an act to amend section 9371 of the Revised Codes of 1905, of the state of North Dakota, providing for the state's attorney to prosecute persons for unlawful dealing in intoxicating liquors and bring suits upon bonds or undertakings forfeited and to recover fines, and penalties, and the creation of a special fund.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 117,

A bill for an act to amend section 4079 of the Revised Codes of North Dakota, 1905, relating to rights and capacity of husband and wife.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 191,

A bill for an act to amend section 9371 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 8,

A bill for an act to amend and re-enact section 7459 of the Revised Code of 1905, relating to the foreclosure of mortgage on real property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on live stock made the following report:
Mr. Speaker:

Your committee on live stock to whom was referred
House Bill No. 164,

A bill for an act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 47,

A bill for an act to provide for the payment to the owner of the value of animals destroyed under the provisions of article seventeen of the Political Code of North Dakota or because such animals were, at the time of their destruction, infected or afflicted with the disease commonly known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House Bill No. 4,

A bill for an act to amend section 2000 relating to epidemic diseases among domestic animals and providing for their compensation when destroyed by order of the district veterinarian.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House bill No. 13,

A bill for an act entitled an act prescribing the method of procedure in cases of horses, mares, mules or asses afflicted with glanders, and providing for compensation to owners where such animals are ordered to be destroyed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House bill No. 16,

A bill for an act indemnifying owners for animals killed or destroyed according to law for being effected with the disease known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
Senate Bill No. 179,

A bill for an act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 216,

A bill for an act to amend sections 1287 and 1288 of the Revised Codes of 1905 relative to insurance of public buildings.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 175,

A bill for an act defining the status of persons soliciting life insurance.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 192,

A bill for an act regulating disbursements by life insurance companies.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 59,

A bill for an act requiring an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 152,

A bill for an act to provide for the safe keeping of documents and bonds required to be deposited in the office of the county auditor.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment to whom was referred
House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Also,

House bill No. 15,

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.

Also,

House Bill No. 154,

A bill for an act to amend section 1508 of the Revised Codes of 1905, relating to the assessment of bank stocks.

Also,

House Bill No. 252,

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Also,

House Bill No. 227,

A bill for an act to amend section 2441 Revised Codes of 1905, relating to designation of county depositories.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Also,

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Also,

House Bill No. 283,

A bill for an act to amend section 408, of the Revised Codes of 1905, relating to the bonding of certain officers.

Also,

House Bill No. 259,

A bill for an act to provide for the collection of delinquent personal taxes.

And find the same correctly engrossed.

K. O. BROTN OV,

Acting Chairman.

Mr. Brotnov moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr Speaker :

Your committee on enrollment have examined :

Concurrent resolution offered by Mr. Buttz,

Memorial to congress for constitutional amendment to prohibit polygamy and to secure uniform divorce laws.

And find the same correctly enrolled.

S. N. PUTNAM,

Acting Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 25, 1907.

I have the honor to transmit herewith

Senate Bill No. 274,

A bill for an act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the state are placed on exhibition, to file with the commissioner of agriculture and labor a list of the dates claimed by said association for the purpose of conducting the same.

Also,

Senate Bill No. 226,

A bill for an act for paroling inmates of the reform school.

Also,

Senate Bill No. 210.

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Also,

Senate Bill No. 215,

A bill for an act requiring the party in charge of a state institution to make an inventory of property therein.

Also,

Senate Bill No. 269.

A bill for an act to amend and re-enact section 2894 of the Revised Codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Also,

Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

Also,

Senate Bill No. 262,

A bill for an act relating to the licensing of transient

merchants, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facia evidence of the indebtedness sued on.

Also,

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

The chief clerk announced that the speaker was about to sign

Concurrent resolution and memorial to congress for a constitutional convention.

Also,

Concurrent resolution authorizing emergency committee to transfer \$75,000.

Also,

Senate Bill No. 2,

A bill for an act to amend sections 2740, article 17, immediately after section 2770, section 2778, section 2780, section 2782, section 2783, section 2769, section 2798, section 2815 and special section 2779 of chapter 30 of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to cities.

And the speaker signed the same in the presence of the house.

Mr. Rose of Dickey moved.

That Senate Bill No. 86 be recalled from committee on education and referred to committee on appropriations.

Which motion prevailed, and

The bill was so referred.

The house returned to the fourth order of business.

The following petitions were presented:

The undersigned, residents of LaMoure county, respectfully petition the legislative assembly of the state of North Dakota to pass House Bill No. 208, relating to stock running at large.

S. SCOUREY
And Twenty Oothers.

The undersigned, residents of Dickey county, respectfully petition the legislative assembly of the state of North Dakota to pass House Bill No. 208, relating to stock running at large.

L. C. STENQUIST
And Seventeen Others.

The undersigned, residents of LaMoure county, respectfully petition the legislative assembly of the state of North Dakota to pass House Bill No. 208, relating to stock running at large.

O. O. ELLISON
And One Hundred and Seven Others.

Your petitioners respectfully petition the honorable legislative assembly of the state of North Dakota for the passage of House Bill No. 208, so amending the law relating to stock running at large during the winter months as that the owner of such stock shall be liable for the damages stock may do while running at large.

ED. DIETZMAN
And Twelve Others.

Your petitioners respectfully petition the honorable legislative assembly of the state of North Dakota for the passage of House Bill No. 208, so amending the law relating to stock running at large during the winter months as that the owner of such stock shall be liable for the damages stock may do while running at large.

S. WOODWORTH
And Four Others.

Your petitioners respectfully petition the honorable legislative assembly of the state of North Dakota for the passage of House Bill No. 208, so amending the law relating to stock running at large during the winter months as that the owner of such stock shall be liable for the damages stock may do while running at large.

J. A. FIELD
And One Hundred Others.

The undersigned, residents of Stutsman county, respectfully petition the legislative assembly of the state of North Dakota to pass House Bill No. 208, relative to stock running at large.

EUGENE KELLOGG

And One Hundred Others.

Your petitioners respectfully petition the honorable legislative assembly of the state of North Dakota for the passage of House Bill No. 208, so amending the law relating to stock running at large during the winter months as that the owner of such stock shall be liable for the damages stock may do while running at large.

N. E. SKELTON

And Twelve Others.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. O. P. N. Anderson introduced
House Bill No. 319,

A bill for an act to amend section 37, 43 and 44 of the Revised Codes of 1905 relating to public printing.

Which was read the first and second times, and
Referred to the committee on public printing

Mr. Streeter (by request) introduced
House Bill No. 320,

A bill for an act entitled an act to provide for two judges of the district court in the Sixth judicial district.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Streeter (by request) introduced
House Bill No. 321,

A bill for an act entitled an act to amend and re-enact section 474 of the Revised Codes of 1905.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Bernt Anderson (by request) introduced
House Bill No. 322,

A bill for an act to amend section 7045 of the Revised Codes of North Dakota of 1905 relating to when another judge may be called in for prejudice or bias.

Which was read the first and second times and
Referred to the committee on judiciary.

Mr. Johnson of Ward introduced
House Bill No. 323,

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Which was read the first and second times and
Referred to the committee on railroads.

The joint committee on state affairs and judiciary introduced

House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Which was read the first and second times and
Referred to the committee of the whole.

The speaker invited Ex-Governor Divine to sit with him.

The house took a recess of five minutes to listen to remarks from Ex-Governor Divine.

AFTER RECESS.

Mr. Stevens moved

That the committee on apportionments be instructed that the sense of this house is that the membership of the house and senate is now considered as large enough and that the fact be taken into consideration by the committee on making their report.

Which motion was lost.

GENERAL ORDERS.

Mr. Sorlie of Traill moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Haugen to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

Senate Bill No. 1,

A bill for an act providing for the selection of candidates

for election by popular vote and relating to their nomination and the perpetuation of political parties.

And recommend that the same be amended as follows:

Amend section 1 of the printed bill by inserting at the end thereof the following: "It shall be liberally construed so that the real will of the electors may not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice or the conducting of the primary or certify the results thereof."

Amend section 2 of the printed bill by striking out the entire section and inserting in lieu thereof: "On the last Wednesday in June of every year in which occurs a general election there shall be held, in lieu of party caucuses and conventions, a primary election in the various voting precincts of this state, for the nomination of candidates for the following offices to be voted for at the ensuing general election, viz: Members of congress, state officers, county officers, district assessors and the following officers on the years of their regular election, viz. Presidential electors, judges of the supreme and district courts, members of the legislative assembly and county commissioners, and United States senator in the year previous to his election by the legislative assembly.

For special elections for the officers enumerated herein the nominations shall be made as otherwise provided by law."

Amend by adding: "Section 2a. In the year of the election of presidential electors there shall be elected at such primary election members of the national committee of the respective political parties."

Amend section 3 by adding after the word "congress" in line 2 of the printed bill the following: "Members of the national committee, presidential electors."

Amend section 3 by striking out the word "certified" in line 11 of the printed bill.

Amend section 3 by striking out the figure "2" in line 13 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "twenty" in line 2 of the printed bill and inserting in lieu thereof the word "thirty;" and amend said section 4 by striking out the word "twentieth" in line 3 of the printed bill and inserting in lieu thereof the word "thirtieth."

Amend section 4 by striking out the words "the highest number" in line 20 of the printed bill and inserting in lieu thereof the words "a majority."

Amend section 4 by striking out the word "certified" in line 24 of the printed bill.

Amend section 4 by striking out the figure "2" in line 29 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "thirty" in line 31 of the printed bill and inserting in lieu thereof the word "ten;" and by striking out in the same line the word "fifteen" and inserting in lieu thereof the word "five."

Amend section 4 by adding after the word "commissioners" in line 34 of the printed bill the following: "District assessors."

Amend section 4 by adding after the word "provided" in line 39 of the printed bill the following: "When a legislative district is composed of more than one county the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties composing such legislative districts the names of the candidates filing such petitions."

Amend by striking out all of section 5 of the printed bill and inserting in lieu thereof: "No petition shall be circulated or signed more than ninety days previous to the time when any petition is required to be filed as herein provided for, and any signatures to a petition secured prior to such ninety days shall not be counted."

Amend section 6 of the printed bill by striking out the comma after the figure "3" in line 1 and inserting in lieu thereof the word "and" and by striking out after the figure "4" the word "and" and the figure "5."

Amend section 7 by adding after the word "placed" in line 2 of the printed bill the following: "Over a name or."

Amend section 9 by striking out all of section 9 after the figure "9" and inserting in lieu thereof: "The primary election and primary election ballot shall be provided for, arranged and conducted and all expenses paid as now provided by law for general elections, except as otherwise provided for in this act.

"There shall be separate ballots for each party or principle and they shall all be of the same size, texture and color, excepting all sample ballots, which shall be on tinted paper.

"The ballot shall be entitled "primary election ballot."

"The names of all aspirants for nomination of each political party or principle for the different offices shall be arranged in separate groups in their order, on separate ballots under a proper political designation, leaving as many blank lines or spaces below each name or group of names as there are nominations to be made on which may be written or placed a name or a printed sticker attached for the nomination of the candidate, provided that no sticker or name written shall be counted unless placed in the space or spaces provided for that purpose. No square shall be left at the head of the ballot.

"At the head of each ballot shall be placed the title of the political party or principle that it represents.

"At the left of each group shall be placed the title of the office followed by a bracket indicating the number of names in such group. Above each group there shall be a space in which shall be printed the number of names in that group to be voted for, as follows: 'Vote for.....name (or names only.'

"Immediately above the names of the candidates to be voted for shall be printed the following:

"To vote for a person whose name is printed on the ballot mark a cross (X) in the square at the right of the name of the person for whom you desire to vote.

"To vote for a person whose name is not printed on the ballot, write or paste his name in the blank space provided for that purpose."

"Each ballot shall contain two columns, and each column is to have as nearly as possible the same number of names of candidates thereon, except that no groups or spaces beneath any group shall be divided, and the candidates for the various offices shall appear upon the ballot in the following order commencing at the column to the left, viz:

"1st. 'Congressional—

United States senatorVote for one.
Representatives in congressdistrict..... vote for.....

"2nd. 'Presidential Electors—

Presidential electorVote for one.

"3d. 'Member of the National Committee—

Member of the national committeeVote for one.

"4th. 'State Officers—

GovernorVote for one.

Lieutenant governorVote for one.

Justice of the supreme courtVote for.....

Secretary of stateVote for one.

State auditorVote for one.

State treasurerVote for one.

Superintendent of public instructionVote for one.

Attorney generalVote for one.

Commissioner of insuranceVote for one.

Commissioner of agriculture and laborVote for one.
 Commissioner of railroadsVote for three.

“District Judges—

For district judgedistrictVote for one.

“Legislative—

State senatordistrictVote for one.

Members of the house of representativesVote for.....

“County—

SheriffVote for one.

AuditorVote for one.

TreasurerVote for one.

Clerk of district courtVote for one.

Register of deedsVote for one.

State's attorneyVote for one.

County judgeVote for one.

Superintendent of schoolsVote for one.

Public administratorVote for one.

County surveyorVote for one.

County coronerVote for one.

County commissionerdistrictVote for one.

District assessordistrictVote for one.

County constableVote for.....

County justices of the peaceVote for.....

“A square shall be placed following the name to the right of every candidate and the voter shall place a cross (X) in such square following the name of each person he desires to vote for.”

Amend section 10 by striking out the figure “5” in line 5 of the printed bill and inserting in lieu thereof the figure “1.”

Amend section 11 of the printed bill by adding at the end of said section the following: “Provided, however, that when a vacancy occurs by reason of no petition having been filed by any person for such office, then such vacancy is to be filled in like manner by the committee of the party in which such vacancy occurs, at least fifteen days before the date of the primary election; in which case the candidates selected to fill such vacancy shall pay a fee equal to one-half of the amount herein required from a candidate on the presentation of his petition.

“Provided, further, that in case of the election, at the general election, of any candidate who has not paid a full primary fee for a place on the ballot at the last preceding primary election, such candidate shall before qualifying for the office to which he has been elected, pay to the proper officer such a sum as will make his payment as a primary fee equal to the full primary fee, as is required by this act”

“Every candidate, except candidates for United States senator, for any office, receiving the highest number of votes under the provisions of this act, shall be the nominee of his political party for such office, to be voted for at the ensuing general election; provided, that in cases where there are two or more candidates to be selected for any office the candidates having respectively the highest number of votes therefor shall be the nominees for such offices to be voted for at the ensuing general election; provided further, that every candidate must receive at the primary election at least the number of votes equal to the number on his petition, as required by sections 3 and 4 hereof in order to be placed upon the general election ballot.

“The candidate receiving the highest number of votes for the office of member of the national committee shall be the duly elected member of the national committee of his party and shall hold such office from the time the national convention is held in the year of his election until the date when the national convention is held four years thereafter, or until his successor is elected, and it shall be the duty of the secretary of the state as soon as the call for the national convention is made to send to the chairman of each of the national central committees a certificate under his hand and

seal stating that this state will elect a member of the national committee of either party is held after such date, then he shall certify to the chairman of the national committee whose convention has been held the names of the national committeemen elected."

Amend section 14 in line 2 of printed bill by adding the letter "s" after the word "section" and insert thereafter "614" and the word "and."

Amend section 15 of the printed bill by striking out all of said section after the second line therein.

Amend section 16 by striking out the word "fifteenth" in the second line of the printed bill and insert in lieu thereof the word "first."

Amend section 17 in line 3 of the printed bill by striking out the words "are hereby made applicable" and insert in lieu thereof "so far as practicable, shall apply."

Amend section 17 in line 4 of the printed bill by inserting after the word "to-wit" "605."

Amend section 17 of the printed bill in line 7 by inserting after "672" "673;" and in the same line by inserting after "683" "684."

Amend section 17 of the printed bill in line 8 thereof by striking out "688, 689, 690, 691, 692, 693, 694, 695, 696" and "697."

Amend section 19 of the printed bill in line 1 thereof by striking out "9" and insert in lieu thereof "8."

In section 23, line 23, after the word "congress" and insert the words "presidential electors, member of national committee."

Amend section 23 in line 32 of the printed bill by striking out the letter "a" and insert in lieu thereof "the official." In same section and line add the letter "s" after the word "newspaper" and insert thereafter "of the county."

Strike out all of section 23 in the printed bill after the word "newspaper" in line 32 thereof.

Amend section 24, line 4, of the printed bill by striking out the word "August" and insert in lieu thereof the word "July;" in same section, line 7, of the printed bill, amend by inserting after the word "congress" "presidential electors, national committeemen."

Amend section 25, line 4, of the printed bill, by striking out the word "of" and insert in lieu thereof the word "after."

Amend section 26 in line 3 of the printed bill by striking out the word "first" and insert in lieu thereof the word "second." In line 4 of the printed bill, same section, strike out the word "September" and in lieu thereof insert the word "August."

Amend section 27 by striking out the word "published" after the word "and" in line 13 of the printed bill and all of line 14, inserting in lieu thereof the following: "Shall certify to the county auditor of each county the names of all persons nominated at said primary election."

Amend section 29 of the printed bill by striking out all of said section after the number 29 in the first line thereof and insert in lieu thereof "when a vacancy occurs by death or resignation of any aspirant for nomination before the primary election ballots are printed in legislative districts containing more than one county, the county central committee of the party in the county in which such vacancy occurs shall meet and by a vote of the majority of such committee shall fill such vacancy, and they shall by a certificate of nomination notify the county auditors of the several counties of which said district is composed and the auditors of such county shall place the names on the primary election ballots where the vacancy exists."

"Should a vacancy occur in the legislative office in a county composed of one county or less, or in a commissioner's district, or assessor's district then members of the county central committee of the party residing in the district in which such vacancy occurs shall meet and fill such vacancy and shall certify to the county auditor the nomination made to fill said vacancy. On receipt of said certificate of nomination the county auditor shall place the name of such nominee upon the primary election where such vacancy exists."

Amend section 30 of the printed bill by striking out all of section after

the number "30" and insert in lieu thereof "whenever it shall be made to appear by affidavit to the supreme court or to the district court of the proper county: that an error or omission has occurred or is about to occur in the placing of any name on an official primary election ballot; that any error has been or is about to be committed in printing such ballot, or that any wrongful act has been or is about to be done by any judge or clerk of a primary election, county auditor, canvassing board, member thereof, or other person charged with any duty concerning the primary election; or that any neglect of duty has occurred or is about to occur, such judge shall order the officer or person charged with such error, wrong or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty, or show cause at a time and place to be fixed by the court why he should not do so. Failure to obey the order of such judge shall be contempt of court."

Amend section 31 of the printed bill by striking out all of said section after the figures 31 in line 1 of the printed bill and insert in lieu thereof "Any candidate at a primary election desiring to contest the nomination of another candidate or candidates for the same office, may proceed by affidavit within ten days after the completion of the canvass. In case the contestant shall set forth in his affidavit, upon information and belief, that the ballots in any precinct have not been correctly counted, and that he has been prejudiced thereby, the judge shall make an order requiring the custodian of such ballots to appear before him at such time and place, and abide the further order of the court. At the time and place stated, the ballot boxes shall be opened and the ballots recounted in the presence of the court. If it should be found that a mistake has been made in counting such ballots, then the contestant shall be permitted upon application, to amend his affidavit of contest by including such additional facts therein.

"All testimony and depositions taken in contests brought under the provisions of this article shall be taken in the same manner as in civil actions and depositions may be taken in more than one place at the same time on leave of the court, and all matters relating to such contests shall be heard and tried as nearly as may be as civil actions are tried except as otherwise provided herein. The court shall make its findings of fact and conclusions of law. Appeals from final judgment and decisions of such contests may be taken without making a motion for a new trial in the district court in the manner provided for in the code of civil procedure, except that the undertaking on appeal shall be in a sum to be fixed by the judge, not less than five hundred dollars, and shall be approved by the judge and by the clerk of the district court of the proper county or subdivision under the directions of the judge.

"Appeals to the supreme court under the provisions of this article must be taken within ten days after notice of entry of final judgment and the party appealing must immediately procure the transmission of the record on such appeal to the clerk of the supreme court and such appeal may be brought on for hearing before the supreme court at any time such court shall be in session upon five days notice from either party; and the same shall be heard and determined in a summary manner except as otherwise provided in this article. The provisions of the code of civil procedure are applicable to and constitute the rules of practice in the proceedings mentioned in this article and the provisions of the civil code of procedure relative to appeals in civil actions, except in so far as they are inconsistent herewith apply to the proceedings mentioned in this article."

Amend section 32 of the printed bill by striking out all of said section after the number "32" in line 1 and in lieu thereof insert "The provisions of the statutes now in force in relation to the holding of elections, the solicitation of votes, the manner of conducting elections, of counting the ballots and making return thereof, and all other kindred subjects shall apply to all primaries in so far as they are consistent with this act; the intent

of this act being to place the primary election under the regulation and protection of the laws now in force as to election."

Amend section 33 of the printed bill by striking out all of said section after the number "33" in the printed bill and insert in lieu thereof "in case of a tie vote the same shall be determined by the canvassing board or boards concerned, at a time and place fixed by them in such manner as they may designate in the presence of the candidate upon at least five days' notice to such candidate.

Amend section 34 of the printed bill by striking out all of said section after the number 34 in first line thereof and insert in lieu thereof the following: "nothing herein contained shall be construed as appealing or being in conflict with section 501 of the Revised Codes 1905."

Amend section 35 of the printed bill by striking out all after the number 35 in first line thereof and insert in lieu thereof "all fees paid to the secretary of state by candidates for the legislative assembly shall be paid by the secretary of state forthwith to the various county auditors in the state where such candidates reside and in case any legislative district is composed of more than one county such fee shall be paid to such counties in equal proportions, which fees are to be turned into the general fund of said county auditor."

Amend section 36 of the printed bill by striking out all after the number 36 of said section and insert in lieu thereof "all acts or parts of acts in conflict with this act are hereby repealed in so far as they relate to the provisions of this act."

Amend section 37 of the printed bill by striking out all of said section after the number 36 in the first line thereof and insert in lieu thereof the following: "In case any of the provisions of this act should be declared unconstitutional that shall not affect the validity of any of the other provisions of this act."

Amend the printed bill by striking out all of section 40 and 41.

Amend the printed bill by striking out the number 42 in section 42 thereof and insert in lieu thereof the number "38."

Amend section 9 by striking out the word "one" after "presidential elector vote for."

Add to section 13 the following words: "Shall be placed on the Australian ballot as hereinafter provided."

Amend section 4 of the printed bill by striking out the word "primary" in line 21 and insert in lieu thereof the word "general."

Leave section 13 of original bill as it now stands and do not adopt amendment recommended by committee.

Amend section 24 by adding after the word "congress" in line 7 of the printed bill the following: "Member of the national committee."

Amend section 27 by adding after the word "provided," in line 9 of the printed bill, the following: "He shall also mail to each of the two candidates of each political party who receive the highest number of votes of his party for the office of United States senator a notice of such fact and that their names will be put upon the official ballot to be voted for at the next general ensuing election."

Amend section 27 by striking out lines 10, 11, 12, 13 and 14 of the printed bill and insert in lieu thereof the following: "He shall report to the legislative assembly the name of the candidate of each political party receiving the highest number of votes of his party for the office of United States senator at the general election in November, and he shall also cause a copy of the findings of said board to be filed in his office and published in a newspaper printed at the seat of government."

Amend section 28 by striking out in lines 6 and 7 of the printed bill the words "United States senator" and inserting in lieu thereof the following: "National committeemen. The secretary of state shall also place upon the official ballot, to be voted for at the general election following, the names

of the two candidates of each political party who received the highest number of votes for the office of United States senator at the primary election. The candidate of each political party who receives the highest number of votes at such general election shall be the nominee of his party for the office of United States senator to be voted for at the succeeding session of the legislative assembly. It is hereby made the duty of the secretary of state to certify to the next legislative assembly the name of the candidate of each political party who received the highest number of votes for United States senator at the general election preceding."

In section 4, line 21, strike out the words "has received" and insert in lieu thereof the words "shall receive."

Add as new section, as follows:

SEC. 43. The word Australian ballot as used in this act shall be construed to mean the general ballot used at the November election.

And when so amended recommend the same do pass.

Also,

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Have had the same under consideration and recommend that the same be amended as follows:

In the heading of the bill insert before the words "Mr. Mockler" the words "Mr. Cunningham and."

Also that the word "thirty" in line 23 of the printed bill be stricken out and the word "ninety" inserted in lieu thereof.

And when so amended recommend the same do pass.

ARNE P. HAUGEN,

Chairman.

Mr. Sorley of Grand Forks moved

That the reading of the report be dispensed with and the report adopted.

Which motion prevailed, and

The report was adopted.

Mr. Sorley of Grand Forks moved

That the rules be suspended and that Senate Bill No. 1 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Piper
Anderson, Grand F'rks	Halaas	Plath
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rose of Dickey
Blegen	Haugen	Simpson
Brotnov	Hemmingsen	Sorlie of Traill
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Ransom	Streeter
Collins	Law	Swendseid
Crawford	Martin of Billings	Thoreson
Cunningham	Mathews	Tofsrud
Dean	McDowall	Treat
Dibley	Midgarden	Tufte
Duncan	Mockler	Ueland
Flamer	Monek	Wake
Freeman	Murphy	Walker
Ganssle	Nelson of Steele	Watts
Garden	Oveson	Welford
Giedt	Parkhill	White
Graham	Peave	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Jones of Barnes	Rohs of Morton
Brodie	Martin of Morton	Schlenker
Casey	Miller	Shannafelt
Connolly	Moore	Sinclair
Elhard	Morin	Shirley
Evans	Nelson of Traill	Syvertson
Gibbens	Pugh	Wedge

Messrs. Shannafelt, Moore, Shirley, Aaker and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 1 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and that House Bill No. 7 be considered engrossed and that it be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 67, nays 10, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanawalt	Plath
Anderson, Grand F'rks	Hanson	Purdon
Anderson, Bernt	Haugen	Putnam
Anderson, O. P. N.	Hemmingsen	Rose of Dickey
Andrus	Hosford	Simpson
Blake	Johnson of Pembina	Sorley of Grand Forks
Blegen	Johnson of Sargent	Sorlie of Traill
Brotnov	Johnson of Ward	Stavens
Burdick	Jones of Ransom	Steen
Burgum	Law	Stevens
Carter	Martin of Billings	Storey
Collins	Mathews	Streeter
Crawford	McDowall	Swendseid
Cunningham	Midgarden	Thoreson
Dibley	Mockler	Tofsrud
Duncan	Monek	Treat
Flamer	Murphy	Tufte
Freeman	Nelson of Steele	Ueland
Garden	Oveson	Wake
Giedt	Parkhill	Welford
Graham	Peake	White
Griffith	Piper	Mr. Speaker
Halaas		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Hallick	Restemayer
Church	Hankinson	Walker
Dean	Jensen	Watts
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Rohs of Morton
Brodie	Jones of Barnes	Schlenker
Casey	Martin of Morton	Shannafelt
Chapman,	Miller	Sinclair
Connolly	Moore	Shirley
Elhard	Morin	Syverson
Evans	Nelson of Traill	Wedge
Ganssle	Pugh	

Messrs. Shannafelt, Moore, Shirley, Aaker and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Mockler moved

That the vote by which House Bill No. 7 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 25, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.

Also,

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

Also,

Senate Bill No. 14.

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

Also,

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a

dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Also,

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same and making an appropriation therefor.

Also,

Senate Bill No. 39,

A bill for an act to provide for new buildings, and for making needed permanent improvements for the school of deaf and dumb, located at Devils Lake, North Dakota, and making an appropriation therefor.

Also,

Senate Bill No. 64,

A bill for an act appropriating money for paying the indebtedness on superintendent's residence and for building a machine shed and seed house and for other improvements at Edgeley sub experiment station.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Also,

Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Also,

Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota.

Also,

Senate Bill No. 88,

A bill for an act to provide a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Also,

Senate Bill No. 91,

A bill for an act making appropriation for improvements and furnishings for the state normal school at Mayville, and for the construction of a woman's dormitory for said school.

Also,

Senate Bill No. 95,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Also,

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Also,

Senate Bill No. 108,

A bill for an act to provide an appropriation for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Also,

Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

Also,

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Also,

Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Also,

Senate Bill No. 118,

A bill making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for equipment and furniture, for library, book cases and library furniture, and maintenance of school for two years, beginning January 1, 1907, for the North Dakota academy of science, located at Wahpeton, North Dakota.

Also,

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Also,

Senate Bill No. 133.

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Also,

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate Bill No. 139,

A bill for an act to provide for the maintenance of the

industrial school and school for manual training located at Ellendale, and for making necessary improvements, and making an appropriation therefor.

Also,

Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Also,

Senate Bill No. 185,

A bill for an act appropriating money to provide for the maintenance of a public health laboratory in the medical department of the state university and school of mines at Grand Forks.

Also,

Senate Bill No. 186,

A bill for an act making an appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Also,

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Also,

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Also,

Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Also,

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Also,

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Also,

Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Also,

Senate Bill No. 268,

A bill for an act making an appropriation to pay for certain books for the state law library.

Also,

Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Also,

Senate Bill No. 105,

A bill for an act making an appropriation for the erection of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Also,

Senate Bill No. 275,

A bill for an act creating the office of field officer and curator of the state historical society of North Dakota, authorizing the appointment of a field officer and curator for such society, defining the duties of the incumbent of such office and providing for an appropriation.

Also,

Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement and inspection and by making an appropriation therefor.

Also,

Senate Bill No. 56,

A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Also,

Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing for its maintenance.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Stevens moved

That we take up the first and second reading of senate bills.

Which motion prevailed.

Mr. Stevens moved

That at the conclusion of the first and second reading of senate bills the house take a recess until 8 o'clock this evening for the purpose of receiving the report of the railroad commissioners.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Was read the first and second times, and

Referred to the committee on elections and privileges.

Also,

Senate Bill No. 210.

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Was read the first and second times, and
Referred to the committee on taxation and tax laws.

Also,

Senate Bill No. 262,

A bill for an act relating to the licensing of transient merchants, and providing a penalty for the violation thereof.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facie evidence of the indebtedness sued on.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Was read the first and second time, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 275,

A bill for an act creating the office of field officer and curator of the state historical society of North Dakota, authorizing the appointment of a field officer and curator for such society, defining the duties of the incumbent of such office and providing for an appropriation.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 39,

A bill for an act to provide for new buildings, and for making needed permanent improvements for the school of deaf and dumb, located at Devils Lake, North Dakota, and making an appropriation therefor.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 266,

A bill for an act to amend section 1031, 1032, 1033, 1034, 1035, 1036 and 1037 of chapter 9, article 25 of the Revised Code of 1905, relating to education and creating a new section providing that high schools may be classified as accredited schools of the University of North Dakota, and repealing all acts in conflict therewith.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same, and making an appropriation therefor.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public

grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 64,

A bill for an act appropriating money for paying indebtedness on superintendent's residence and for building a machine shed and seed house and for other improvements at Edgeley sub-experiment station.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Referred to the committee on appropriations.

Also,

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Was read the first and second times and

Referred to the committee on appropriations.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 105,

A bill for an act making an appropriation for the erection of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 95,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Was read the first and second time, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 88,

A bill for an act to provide a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 215,

A bill for an act requiring the party in charge of a state institution to make an inventory of property therein.

Was read the first and second time, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 91,

A bill for an act making appropriation for improvements and furnishings for the state normal school at Mayville, and for the construction of a woman's dormitory for said school.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 274,

A bill for an act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the state are placed on exhibition, to file with the commissioner of agriculture and labor a list of the dates claimed by said association for the purpose of conducting the same.

Was read the first and second times, and

Referred to the committee on agriculture.

Also,

Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 226,

A bill for an act for paroling inmates of the reform school.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 269.

A bill for an act to amend and re-enact section 2894 of the Revised Codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Also,

Senate Bill No. 108,

A bill for an act to Provide an appropriation for the current and contingent expenses of the institution for feeble minded at Grafton, North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 118,

A bill making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for equipment and furniture, for library, book cases and library furniture, and maintenance of school for two years, beginning January 1, 1907, for the North Dakota academy of science, located at Wahpeton, North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 133,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 14,

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 56,

A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 139,

A bill for an act to provide for the maintenance of the industrial school and school for manual training located at

Ellendale, and for making necessary improvements, and making an appropriation therefor.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 185,

A bill for an act appropriating money to provide for the maintenance of a public health laboratory in the medical department of the state university and school of mines at Grand Forks.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing for its maintenance.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement and inspection and by making an appropriation therefor.

Was read the first and second times, and
Referred to the committee on appropriations.

Also,

Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

Was read the first and second times, and

Referred to the committee on appropriations.

Also,

Senate Bill No. 186,

A bill for an act making an appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Was read the first and second times, and

Referred to the committee on appropriations.

On request of Mr. Burgum the privileges of the floor were extended to Dr. Guest of Jamestown.

On request of Mr. Blegen the privileges of the floor were extended to Mr. Beissbarth of Brinsmade, and Mr. Ole Frederickson of Maddock, Benson county.

On request of Mr. Treat the privileges of the floor were extended to Mr. J. D. Amgill of Fargo, N. D.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to Professor McDonnald.

On request of Mr. Collins the privileges of the floor were extended to Mr. W. D. Parsons of Page, N. D.

On request of Mr. Purdon the privileges of the floor were extended to Mr. O. Bjorke.

On request of Mr. Chapman the privileges of the floor were extended to Mr. Bruegger of Wilton, N. D.

On request of Mr. Johnson of Ward the privileges of the floor were extended to Messrs. S. M. Davis and John Ehr of Minot.

On request of Mr. Buttz the privileges of the floor were extended to Messrs. Serumgard, Traynor and Gray of Devils Lake, N. D.

On request of Mr. Martin the privileges of the floor were extended to Messrs. Tuasur and Snyder of Billings county.

The house took a recess until 8:30 p. m.

AFTER RECESS.

The house assembled at 8 o'clock pursuant to recess taken. The speaker called Mr. Ueland to the chair.

Pursuant to resolutions of the house adopted February 15, 1907, and Feb. 19, 1907, Messrs. Diesem, Stafne and Westby, railroad commissioners, appeared before the house.

Mr. Diesem, chairman of the board of railroad commissioners, explained the absence of Mr. Hammond, secretary of the board. The following reports were presented:

REPORT OF RAILROAD COMMISSION.

To the Members of the House of Representatives:

The commissioners of railroads are in receipt of a resolution adopted by your honorable body as follows:

"Whereas, There is a general complaint from almost every portion of the state that railroad facilities for the transportation of freight is inadequate and that many of the towns have suffered more or less on account of the failure to supply cars, and complaint is also general that charges for transportation of freight within the state is exorbitant and that a demand is made that legislation should be enacted to remedy this evil. It is also reported that it has been stated by members of the board of railroad commissioners that the law is inadequate to give them power to remedy the evil above complained of, and

Whereas, The members of the board of railroad commissioners are severely criticized for the failure to perform their duties as such board, therefore be it

Resolved, That the members of the board of railroad commissioners be and they are hereby respectfully requested to appear before this house as early as possible for the purpose of informing this body what laws should be enacted in order to vest them with proper power in order to carry out the duties of their office and to inform this body what steps have been taken looking towards the adjustment of freight rates in the state, and that at such time they may be given an opportunity to answer or explain the unfavorable criticism of their action. Be it further

Resolved, That the chief clerk is hereby directed to serve a copy of this resolution upon the members of the board, etc."

In compliance with your request I beg leave to state on behalf of the board that in response to a resolution adopted

by the senate January 20, 1907, a report was made to that honorable body, was printed as senate document No. 3, and to which I respectfully refer this honorable body for an answer to this information requested by your resolution.

In addition to the contents of that document the board desires to submit the following:

That all written complaints that have been made to the board have been dealt with, and all cases in which it is has been possible so far as the board is informed, relief has been granted; that from time to time verbal complaints have been made to different members of the board, which have so far as we were able to do so been considered and acted upon.

These verbal reports have not been of a nature to permit the board to institute proceedings in any case. Every petition of complaint that has come to us has received prompt and careful consideration, and in only a few cases the requests have not been complied with on action taken by the commissioners. In several instances, such as street crossings which needed repairing, the railroad officials have not acted as expeditiously as the board would desire, but they have generally been granted so far as the board knows, and we believe that we have been more successful by being patient and persistent in securing improvements, and have secured them in less time than we could possibly have done by the bringing of actions in court.

The only cases in which the commission have not been able to secure as much needed improvements as it would have desired is in the building of sidings and spurs. This has resulted largely from the inability of the railroads to secure iron rails in time to construct the same in the fall of 1906, and the companies have given assurance that they will be able to make these improvements the coming season.

The commission has been asked why they did not put in force the maximum coal rate law which was enacted some four years ago. The statute gives the commission power to fix rates that are reasonable and just. After this coal rate measure became a law we are reliably informed the commissioners in 1903 asked the several railroads to put this rate into effect. The railroad people, however, declined to do so and they were cited to appear before the board to show cause why an order should not be issued to enforce the rate. We are further informed that after several hearings the commission concluded the rate was unreasonable and

unjust, and therefore could not be enforced in law, and no further effort was made to do so. When the present board came into office in 1905 before anything could possibly have been done relating to the enforcement the state senate passed the following resolution:

"The maximum coal rate law continues to be discussed by the people, and the non-enforcement of said law became a matter of investigation by the last legislature. On February 2, 1905, Mr. Regan introduced the following resolution in the senate:

"Whereas, The eighth legislative assembly passed and the governor approved a bill defining the rates to be charged by railroad companies for the transportation of lignite coal within the state of North Dakota, and

Whereas, The railroad companies refuse to carry out the provisions of the bill, taking the position that the rates therein are unjust and unreasonable, and

Whereas, This is a matter in which the people of North Dakota are particularly interested, therefore be it

Resolved, That the railroad committee of this senate be made a special committee to inquire into the question of railroad rates in lignite coal within the state of North Dakota; that they have the power to summon witnesses and that they report to this body not later than the 10th of February, 1905."

Mr. Regan moved that the resolution be adopted, which motion prevailed, and the motion was adopted.

To the Senate of the State of North Dakota:

GENTLEMEN: Your committee on railroads to whom was referred the resolution relating to the maximum coal rates on coal mined within this state, as fixed by chapter 146 of the laws of 1903, beg leave to report that we have had the same under consideration and held several sessions with reference to the same; have examined witnesses and taken proof for the purpose of ascertaining whether the state law is reasonable or unreasonable. We find from the examination of the witnesses who appeared before us, the same being miners and shippers of lignite coal within this state, and also by a comparison of rates in other states, that said chapter 146 is unreasonable and incapable of enforcement.

We further find from the testimony of all the witnesses appearing before our committee that the present rates given and now in force by the railroads within the state of North Dakota are equitable and reasonable, and satisfactory to the shippers of lignite coal who appeared before us. We recommend, as the judgment of this commission from all the evidence taken and from legal advice given to us, that it would be unwise to attempt while the present rates are in force, as given by the roads, to enforce the provisions of such chapter 146, as such action would only result, in the judgment of the committee, in great and useless expense to the state.

Respectfully submitted,
COMMITTEE ON RAILROADS.

Mr. Steele moved that the report be adopted, which motion prevailed, and the report of the committee was adopted.

The action thus taken by the senate confirmed the commission in its stand taken in 1904—after full investigation of rates on coal in this state as compared with rates in force in other states of the union—that the maximum coal rate law of North Dakota could not be enforced. They therefore declined to attempt the enforcement of the same in the courts.

The senate having thoroughly investigated the matter and declared the rate unreasonable, we deemed it unwise on our part to institute legal proceedings under such circumstances.

Our greatest source of annoyance during the winter was the fact that the railway companies failed to open up their lines of road. The storms were so frequent and close together that it was almost impossible for the railway companies to keep their lines open continually. However, the main lines—the Northern Pacific, Great Northern, and the line of the Soo road from Enderlin to Portal—succeeded in getting their roads open within a reasonable time after each storm. Upon each complaint that came in to us with reference to the closing up of the roads on account of storms we took the matter up with the different railway companies and they advised us that they were doing all in their power and using every effort to keep the lines open. However, the line of road which seemed to remain closed the longest and which the company failed to make proper attempts to open up was the line known as the Thief River

& Kenmare line on the Soo railroad. The matter was called to the attention of the attorney general and we were advised that section 4286 of the Revised Codes of 1905 was the statute which regulated this matter, and on account of the exception contained in said section it became a serious question of law whether the line above referred to could be forced open in view of the fact that same has not been constructed for five years. The said section also excepts branch lines, and we are advised that the exception would include all the branch lines of the different railways in this state.

Therefore, in response to your inquiry as to what we would recommend, we respectfully state that it seems to us that there ought to be some specific railroad legislation compelling the different lines to run and operate their line of road in accordance with established rules to be designated in such law, and giving the railroad commission full power and authority to enforce provisions of the same.

We must confess that the entire railroad law of our state seems to be full of exceptions and it is so complicated and drawn in such a peculiar manner that we are advised it is very difficult of interpretation.

Therefore, we think that all these matters ought to be made more specific and plainer, exempting different exceptions which we find to prevail on the railroad legislation in this state.

Shortly after the adjournment of the legislature in 1905 the chairman of the board was requested by the Bartles Oil Company of St. Paul to make a classification rate on oil to be shipped into North Dakota in L. C. L. L. and were informed that the commissioners of Minnesota had the same question under consideration.

For the purpose of familiarizing ourselves with the conditions in Minnesota, a trip was made to St. Paul at our own expense) to consult with the Minnesota commissioners, who stated they would advise us the day set for the hearing of what was known as the oil rate case. The commission were present and for two days listened to evidence produced by the independent oil dealers. Two weeks later we again appeared with the South Dakota commission and listened to the evidence of the opposition and to the argument of counsel for and against the proposition. Some months later the Minnesota commission made an order for the classification rate which was accepted by the railroads and put

into force. The board, believing the classification to have been reasonable, and that the same should be in force in North Dakota, took the matter up with the several railroad companies, and without cost to the state succeeded in getting the rate put into force in this state, which was done on the 6th day of December, 1905. The classification related to shipments from all Minnesota terminal points to all points in North Dakota, and there was secured by this classification a saving of fifty cents on every barrel of oil shipped into North Dakota. This saving was secured by the board without expense to the state. It was not published far and wide; it was not necessary. The commission did their duty and the state received the benefit. Later this board took up with the several railroads the question of a reduction of the grain rate to Minnesota terminals. This reduction was put into force August 1, 1905. Another reduction was secured in grain rates September 1, 1906, and on October 22, 1906, agreeable to promises made by the several railroads to the board, a reduction was secured of about twenty cents per ton on all coal, which took effect October 22, last. A further reduction was secured on all other commodities of shipments of ten per cent, which went into effect November 15, 1906. The board does not claim that they forced the railroads to make these reductions, but do believe that they were more successful in getting them made than they would have been had they instituted legal proceedings in the first instance, and thus you will notice that at four different times since the majority of the present board came into office, there has been a reduction in tariff rate.

The question of what is a reasonable rate has been under consideration of such able jurists as Judge Lane, Judge Knapp, Ex-Senator Cockrell, Judge Carlin and other members of the interstate commerce commission for years, and after untold toil and labor they are unable to state definitely what constitutes a reasonable and just rate, and surely this commission cannot be expected to furnish more definite information upon that subject than has the interstate commerce been able to state.

In answer to that portion of your resolution in which you ask the board to inform this body what laws should be enacted in order to vest them with proper power in order to carry out the duties of their office, I beg to say on behalf of the board that the compensation now paid the secretary of the board is so entirely inadequate to the securing of the

service of a competent and efficient secretary, who will devote his entire time and energy to the duties of the office as to be self apparent with every reasonable thinking man. In the opinion of the board there should be an appropriation sufficient to pay a salary to the clerk of the board of at least two thousand (2,000) dollars per annum, and if he is to make a classification of rates and furnish all the information to the board necessary for their proper conduct of the duties of their office there should be appropriated at least fifteen hundred dollars (\$1,500) to cover his necessary expenses when away from home and while investigating complaints, etc.

If criticism has been made of our conduct as a board of commissioners we feel the same has been unjust and that we are not called upon to make answer to gossip or unjust criticism.

C. S. DEISEM,
E. A. STAFNE,

As to the recommendations made by the commission, I sign,

SIMON WESTBY,

REPORT OF SIMON WESTBY, A MEMBER OF THE BOARD OF
RAILWAY COMMISSIONERS.

Bismarck, N. D., February 23, 1907.

*To the House of Representatives of the Tenth Legislative Assembly of the
State of North Dakota:*

GENTLEMEN: In compliance to a resolution passed by your honorable body on February 15, 1907, and a similar resolution on February 20, 1907, in which you request the Board of Railway Commissioners and each member of said board severally to appear before the House on the 23d day of February, 1907, at eight o'clock p. m., to furnish information as to what laws should be enacted to vest said commission with proper power to regulate common carriers and to inform the House what has been done by said board in endeavoring to establish a schedule of rates for the transportation of freights, and to produce all the books and records of their office. I therefore beg to submit the following, to-wit:

I claim no credit for any of the acts or things done by the former commission before I assumed the duties of my office, and therefore I also repudiate any responsibility for any negligence, misfeasance or nonfeasance in the discharge of the duties of said commission by said board before I assumed the duties of my office.

On January the 8th, 1907, I took my oath of office and shortly thereafter the members of said commission met at their office in Bismarck to organize, and at said meeting Commissioner Deisem, Commissioner Stafne, myself and Secretary Hammond were present. At said meeting I moved that Commissioner Stafne be elected president of said commission, but Mr. Stafne objected on the ground and for the reason that the old commis-

sion had been severely criticized for the manner in which they had performed their duties and that unpleasant inquiries might arise in relation thereto, and therefore he did not wish to assume the responsibilities as president of said commission, and moved as a substitute that Commissioner Deisem be elected president. In accordance with his wishes I withdrew my motion and seconded the motion made by him; thereupon Commissioner Deisem was elected president; after which we proceeded to elect a secretary. Prior thereto, however, I had been approached by several parties who complained bitterly against former Secretary Hammond, and had requested me to use my influence to have him ousted from said position. Commissioner Stafne moved that former Secretary Hammond be elected to serve during the session of the legislature on the ground and for the same reason that he had advanced in support of President Deisem, which motion I seconded. The motion, however, was not put to the board and never carried, but Secretary Hammond, however, entered upon his duties.

At the commencement of said meeting Mr. Deisem produced a book from the vault and requested me to examine the same as it contained the records of the office. I thereupon examined said book and found nothing therein, and made this remark to Commissioner Deisem, "You have a very clean record," and during the proceedings of said meeting I made a motion that all proceedings had and done, together with the motions and statements made by each member, be taken down and recorded by the secretary, which motion was ridiculed by President Deisem, and the secretary failed entirely to record any of the said proceedings as the record book is still blank. I, however, being a new member, looked to the president to see to it that the proceedings were properly and duly recorded. We also made arrangements that Secretary Hammond should maintain and keep our office at Bismarck open at least eight hours per day and that he should keep us constantly and fully informed as to all matters that came before the office, and relying upon said arrangements I returned home to Rugby as Mrs. Westby was sick at that time. Shortly after arriving at Rugby I received a letter from Tompkins Electric Co. of Rugby, which reads as follows, to-wit:

Rugby, N. D., January 31st, 1907.

Hon. Simon Westby,

R. R. Commissioner, N. Dak.:

MY DEAR SIR: I wish you would assist me in having either the Soo R. R. Co. or the G. N. R. R. Co. supply the McClure Coal Co., situated fifteen miles west from Minot, with 5 empty cars per day for 10 days to be loaded with lignite coal for me, same to be shipped to this point forthwith.

The McClure Coal Co. agree to supply me with this quantity of coal as per above.

The Soo R. R. Co. refuse to supply the cars, claiming they will not permit their cars to go on the G. N. R. R. Co. The G. N. R. R. Co. refuse to permit their cars to go on to Soo R. R. for loads, they claim that when they have loads for Soo R. R. they put them on transfers.

Now as to who has the right to supply the cars makes no difference to those of us who are out of fuel. We want the coal and want it bad as you know.

I have asked the Hon. John Burke at Bismarck to assist me in every way he can to get these cars.

Trusting you will kindly give this very important matter your immediate attention, and that you will secure the fifty or more cars at the very earliest possible moment.

Kindly wire me at my expense your success or failure in this matter.

Yours very truly,

ALLEN TOMPKINS.

I thereupon hastened to Minot to ascertain if the complaint made by said Tompkins Electric Company were true. Arriving at Minot I questioned the superintendent of the Great Northern Railway Company as to the facts relative to said letter, and was informed by said superintendent that it was true that the railroad company would not permit their cars to go to the Soo railroads for loads. I thereupon went to the Soo agent at Minot and asked him concerning said complaint, and he also informed me that the Soo Company refused to load cars for any Great Northern destination. I thereupon requested said agent to inform the superintendent of the Soo Railroad at Enderlin, N. Dak., to inform him of the nature of my call and that he must furnish the cars as required or we should be compelled to start an action to compel the company to furnish said cars, and I further wrote said superintendent the following letter, to-wit:

Rugby, N. Dak., Feb. 5, 1907.

Superintendent, Minneapolis, St. Paul and Sault Ste. Marie, Enderlin, N. Dak.:

DEAR SIR: I have a communication from Tompkins Electric Co. of this city stating that they have a contract with McClure Co., located on your tracks 15 miles west of Minot. The said McClure Coal Co. agree to load for said Tompkins Electric Co. five cars of lignite coal per day for ten days for delivery at Rugby on the Great Northern tracks. He further states that the Soo Railroad Co. refuse to furnish such cars for delivery on the Great Northern tracks, and also that the Great Northern Co. refuses to furnish cars to go on the Soo tracks for loads.

Under our statutes you are the party who has to furnish these cars and the Great Northern are compelled to take the same from transfer and send them to Rugby and back to transfer at Minot. I went to Minot yesterday to find out if everything was as set forth by Tompkins, and found through your agent at that place and also through the superintendent of the Great Northern Railroad that the statement of Tompkins was true. Now I would ask you to furnish the amount of cars spoken for or know why you won't do so.

If the laws of this state are not strong enough to compel you to do so I will in person see to it that the body now assembled at Bismarck at the expense of the public for the purpose of making laws, will pass a measure that will be strong enough to compel the proper railroad company to furnish cars where it is their duty, especially in a matter as important as the fuel has been for this state this winter.

Awaiting your answer, I beg to remain,

Yours very truly,

SIMON WESTBY.

I never received an answer to this letter, but I supposed that the superintendent had answered the same and forwarded it to the Bismarck office, and therefore I took no further steps in this matter until I reached Bismarck and found that we had had no communication from him in response to said letter. I thereupon sent him the following telegram, to-wit:
Received at 2-16.

(Dated) Bismarck, N. D., Feb. 15.

To Supt. Soo Railway Company, Enderlin, N. D.

Can you see fit to answer my letter dated February 5th?

Answer.

SIMON WESTBY.

The day thereafter I wrote the following letter to Governor Burke, as he had also had a communication from these parties in regard to this matter, to-wit:

Feb. 16, 1907.

Hon. John Burke, Governor.

Dear Governor: As per our conversation about an hour ago, I have been thinking the matter over as to the suggestions made by yourself concerning the particular case of the loading of Soo railway cars for the Great Northern destination. As I stated to you it appears to me that the Railway Commission of this state has got down to a stage where the railroad officials even feel it below their dignity to make answer to correspondence.

I would suggest if you think proper that we make an example of this particular case and try to show the railroads as well as the people of our state that we mean what we say, and intend to do what we promise. If I have not an answer from the party in question before Monday, the 18th, I shall with your permission at any hour that you may be at leisure call upon you for further advice to take such steps as you may deem proper.

The reason I write you about this is that your time is too valuable to spend at any time in conversation, but at the same time you might in your easy hours, for instance at your home, have time to read this and think it over.

Very truly yours,

SIMON WESTBY.

On the 19th inst. I received the following communication from said "Soo" superintendent, to-wit:

"Please mail me copy of letter referred to."

I immediately sent him a copy of said letter and registered the same as further shown by the registry receipt of the Bismarck postoffice No. 841. However, I have received no answer thereto up to date. I received a further communication from said Tompkins Electric company in this matter dated February 18, 1907, which is as follows, to-wit:

• Rugby, N. D., Feb. 18, 1907.

Hon. Simon Westby, Railroad Commissioner, Bismarck, N. D.

My Dear Sir—I wish to call your attention to the fact that the "Soo" Railway company did not place any cars for the McClure Coal company to load with coal for me, as per my letter to you on the 31st of January.

It do not like to complain, so much about every little thing that comes up, but really this is a very important matter, this car question between the "Soo" and the G. N. commission.

As a matter of fact you know very well that the railroad commission is only considered as a sort of a laughing stock so far as their particular benefits to shippers are concerned, you also know or should know that the railroad companies do not pay but damned little attention to your requests, simply because you are too easy; this is the only word I can find that fills the bill in English, but it is far short of what I think you have coming from those of us who have to depend on you for anything from these railroad companies.

When you left here you told me that you would make them, meaning the railroad company, come through, if you remember I said nothing, but I really meant for you to "show me."

You are just like all the other commissioners, you going to do so and so, but "show me" first what you are going to do.

I know very well without enlarging on this subject any more that I would either make the railroad companies come through and do as the state laws say they shall or I would resign. In other words I would be a man or quit.

Yours very truly,

ALLAN TOMPKINS.

This is a brief account of the cases in which I have acted alone without the assistance of the other commissioners. The cases that I have

acted in in connection with the other commissioners will, probably, be embodied in the report of Commissioners Stafne and Deisem.

As to my further attitude I wish to state that I intend to enforce the law without fear or favor, to the best of my ability.

Immediately after entering upon the duties of my office I was informed by Secretary Hammond that the law was inadequate and deficient in not providing the commission with ample powers to enforce its decisions and decrees. Being that he held the office of secretary for so long a time, I believed that he was informed upon this subject and therefore believed his statement. Since said time, however, I have endeavored to acquaint myself with the laws in regard to common carriers and the powers given the railway commissioners to control the same, and as near as I can learn I find that the same are full, adequate and complete.

Sections 4323, 4326, 4327, 4328, 4330, 4331, 4332 and 4335 provides for and defines the duties of common carriers to maintain ample transfer facilities at all points of connection, crossing or intersection; for transferring any cars used in the regular business of their respective lines; the duties to furnish and transport cars to shippers; to make reasonable charges and penalties for unjust discrimination; to start and run cars without delay in continuous shipments and provides for the long and short haul and the destination of cars.

Sections 4343, 4345, 4346, 4347, 4348, 4351 and 4360 relates to the powers of the railway commissioners to fix and establish rates; to make a schedule of reasonable maximum rates of charges for the transportation of passengers, freight, property and cars on each road; for the manner of making complaints; for providing for a hearing; to receive evidence, statements and arguments; for the making of their decision and for carrying the same into effect; for compensation of attorneys and the costs of prosecution and appeals from or in support of said decision.

I further take serious exception to the statements that have been credited to President Deisem by the press. Especially the one wherein he is reported to have said that the commission consists of two members, himself and Jim Shea, and that unfortunately Jim Shea had two votes, and the further statement that he always had been in the minority whenever he had desired the commission to take action in any matter.

I wish to state here that neither Jim Shea nor any other person has ever attempted to influence my actions in any respect whatsoever, nor to suggest the manner in which I should vote at any of our meetings. I also wish to say that there has never been a subject brought up for the consideration of said commission, since I became a member thereof, in which there has been a dissenting vote; in fact, there has been but one meeting of the board held and the only matter considered was the organization thereof.

The books and records of the office required to be produced by your honorable body will undoubtedly be furnished by President Deisem. This is a very short account of my connection with the board and the doings of the railroad commission.

Respectfully submitted,

SIMON WESTBY,
Railroad Commissioner.

Mr. Sorley of Grand Forks moved

That the house take a recess until 9:30 o'clock tomorrow morning.

Which motion prevailed.

P. D. NORTON,
Chief Clerk.

FORTY-NINTH DAY—AFTER RECESS
AND
FIFTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1907.

The house assembled at 9:30 o'clock pursuant to recess taken.

The speaker in the chair.

Mr. Rose of Dickey moved

That a committee of three be appointed to look after the needs of Mr. Shirley who is now in the hospital.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Rose of Dickey, Watts and Streeter.

THIRD READING OF HOUSE BILLS.

House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays none, absent and not voting 27, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Anderson, Grand F'rks	Halaas	Pugh
Andrus	Hallick	Restemayer
Blegen	Hanson	Rohs of Morton
Brotnov	Haugen	Rose of Dickey
Burdick	Hemmingsen	Simpson
Burgum	Hosford	Sorley of Grand Forks
Buttz	Jensen	Sorlie of Traill
Carter	Johnson of Pembina	Stavens
Casey	Johnson of Ward	Steen
Church	Jones of Barnes	Stevens
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Martin of Billings	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Monek	Ueland
Evans	Morin	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Ganssle	Oveson	Welford
Garden	Peake	White
Graham	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hanawalt	Purdon
Anderson, O. P. N.	Hankinson	Putnam
Blake	Johnson of Sargent	Schlenker
Brodie	Jones of Ransom	Shannafelt
Chapman	McDowall	Sinclair
Dibley	Mockler	Shirley
Gibbens	Moore	Storey
Giedt	Murphy	Syverson
Griffith	Parkhill	Wedge

Messrs. Moore, Shannafelt, Shirley and Syverson being excused.

Mr. Bernt Anderson passed.

So the bill passed and the title was agreed to.

House Bill No. 258,

A bill for an act providing for the creating of a fund by and in each of the several state banks of this state, for the payment of unsecured deposits in any of such banks that may hereafter become insolvent.

Was read the third time.

The question being the final passage of the bill.

The roll was called and there were ayes 32, nays 48, absent and not voting 18, present and not voting 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Haugen	Sorley of Grand Forks
Anderson, Grand F'rks	Hemmingsen	Sorlie of Traill
Anderson, Bernt	Hosford	Stavens
Anderson, O. P. N.	Johnson of Pembina	Steen
Brotnov	Miller	Swendseid
Connolly	Morin	Tofsrud
Duncan	Nelson of Steele	Tufte
Grant	Nelson of Traill	Ueland
Hallick	Oveson	Walker
Hanawalt	Parkhill	Welford
Hanson	Rose of Dickey	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Evans	Piper
Andrus	Flamer	Plath
Blake	Freeman	Pugh
Blegen	Ganssle	Purdon
Burdick	Griffith	Restemayer
Burgum	Halaas	Rohs of Morton
Buttz	Jensen	Simpson
Carter	Johnson of Sargent	Stevens
Chapman	Jones of Barnes	Streeter
Church	Jones of Ransom	Thoreson
Collins	Law	Treat
Crawford	Martin of Billings	Wake
Cunningham	Mathews	Watts
Dean	Mockler	Wedge
Dibley	Monek	White
Elhard	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hankinson	Schlenker
Casey	Johnson of Ward	Shannafelt
Garden	Martin of Morton	Sinclair
Gibbens	McDowall	Shirley
Giedt	Moore	Storey
Graham	Murphy	Syverson

Messrs. Moore, Shannafelt, Shirley and Syverson being excused.

Messrs. Midgarden and Putnam passed.

So the bill was lost.

Mr. Buttz moved

That the vote by which House Bill No. 258 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That House Bill No. 284 be taken out of general orders, considered engrossed, and placed on its third reading and final passage with the privilege of amending on third reading.

Which motion prevailed.

The speaker called Mr. Putnam to the chair.

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for the assessment of their property and the taxation of the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays none, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Casey	Jones of Barnes	Streeter
Chapman	Jones of Ransom	Swendseid
Church	Martin of Morton	Thoreson
Collins	Mathews	Tofsrud
Connolly	Midgarden	Treat
Crawford	Miller	Tufte
Cunningham	Mockler	Ueland
Dean	Monek	Wake
Dibley	Morin	Walker
Duncan	Nelson of Steele	Watts
Elhard	Nelson of Traill	Wedge
Evans	Oveson	Welford
Flamer	Parkhill	White
Ganssle	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Law	Shannafelt
Freeman	Martin of Billings	Simpson
Garden	McDowall	Sinclair
Gibbens	Moore	Shirley
Giedt	Murphy	Storey
Hankinson	Schlenker	Syvertson
Johnson of Ward		

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which House Bill No. 284 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 4, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Mathews	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Dibley	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Morin	Wake
Flamer	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Wedge
Giedt	Oveson	Welford
Graham	Parkhill	White
Grant	Feake	Mr. Speaker
Griffith	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Brotnov	Duncan
Blegen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Barnes	Schlenker
Carter	Martin of Billings	Shannafelt
Freeman	McDowall	Simpson
Garden	Moore	Sinclair
Gibbens	Murphy	Shirley
Hankinson	Piper	Syvertson
Johnson of Ward	Purdon	Watts

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

House Bill No. 283,

A bill for an act to amend section 408, of the revised codes of 1905, relating to the bonding of certain officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 56, nays 24, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hemmingsen	Plath
Anderson, Grand F'rks	Hosford	Purdon
Anderson, Bernt	Jensen	Putnam
Anderson, O. P. N.	Johnson of Pembina	Restemayer
Andrus	Johnson of Sargent	Rohs of Morton
Blake	Jones of Barnes	Rose of Dickey
Brotnov	Jones of Ransom	Sorley of Grand Forks
Burdick	Law	Sorlie of Traill
Carter	Martin of Morton	Stavens
Connolly	Mathews	Steen
Crawford	Mockler	Stevens
Duncan	Monek	Storey
Elhard	Morin	Swendseid
Evans	Nelson of Steele	Thoreson
Ganssle	Nelson of Traill	Tofsrud
Giedt	Oveson	Ueland
Graham	Parkhill	Wake
Grant	Peake	White
Halaas	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Dean	Midgarden
Blegen	Dibley	Pugh
Burgum	Flamer	Streeter
Buttz	Griffith	Treat
Chapman	Hallick	Tufte
Church	Hanawalt	Walker
Collins	Haugen	Watts
Cunningham	Martin of Billings	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Johnson of Ward	Simpson
Casey	McDowall	Sinclair
Freeman	Miller	Shirley
Garden	Moore	Syvertson
Gibbens	Murphy	Wedge
Hankinson	Schlenker	Mr. Speaker
Hanson	Shannafelt	

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Tofsrud moved

That the vote by which House Bill No. 283 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 58, nays 27, absent and not voting 14, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Elhard	Law
Adams	Evans	Martin of Morton
Anderson, Grand F'rks	Flamer	Mathews
Anderson, O. P. N.	Giedt	Midgarden
Blake	Graham	Mockler
Blegen	Grant	Plath
Brotnov	Griffith	Purdon
Burdick	Halaas	Putnam
Burgum	Hallick	Rohs of Morton
Carter	Hanawalt	Rose of Dickey
Casey	Hanson	Simpson
Chapman	Haugen	Sorley of Grand Forks.
Church	Hemmingsen	Stevens
Collins	Hosford	Storey
Connolly	Jensen	Streeter
Crawford	Johnson of Sargent	Swendseid
Cunningham	Johnson of Ward	Treat
Dean	Jones of Barnes	Tufte
Dibley	Jones of Ransom	Welford
Duncan		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Nelson of Traill	Steen
Andrus	Oveson	Thoreson
Buttz	Parkhill	Tofsrud
Ganssle	Peake	Ueland
Johnson of Pembina	Piper	Wake
Martin of Billings	Pugh	Walker
Monek	Restemayer	Watts
Morin	Sorlie of Traill	Wedge
Nelson of Steele	Stavens	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Miller	Sinclair
Garden	Moore	Shirley
Gibbens	Murphy	Syvertson
Hankinson	Schlenker	Mr. Speaker
McDowall	Shannafelt	

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

Mr. Freeman passed.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which House Bill No. 241 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Was read the third time.

Mr. Adams moved

That the further consideration of the bill be re-referred to the committee on school and public lands.

Which motion prevailed, and

The bill was so re-referred.

House Bill No. 227,

A bill for an act to amend section 2441, Revised Codes of 1905, relating to the designation of county depositaries.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 16, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Midgarden

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Tufte

Messrs.—

Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Graham

Messrs.—

Miller
Mockler
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Ganssle
Garden
Gibbens
Martin of Billings
Mathews

Messrs.—

McDowall
Monek
Moore
Murphy
Schlenker

Messrs.—

Shannafelt
Sinclair
Shirley
Syvertson
Treat

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

Mr. Giedt passed.

So the bill passed and the title was agreed to.

House Bill No. 252,

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Was read the third time.

Mr. Ueland asked unanimous consent to amend the bill.

There being no objection

Mr. Ueland offered the following amendment and moved its adoption:

Amend by striking out all of section 11.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 61, nays 24, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Hanson
Haugen
Hemmingsen
Hosford

Messrs.—

Pugh
Purdon
Putnam
Rohs of Morton

Messrs.—	Messrs.—	Messrs.—
Blake	Jensen	Sorley of Grand Forks
Blegen	Johnson of Pembina	Sorlie of Traill
Brotnov	Johnson of Sargent	Stavens
Burgum	Jones of Barnes	Steen
Carter	Law	Storey
Casey	Martin of Morton	Streeter
Church	Midgarden	Swendseid
Collins	Miller	Thoreson
Connolly	Morin	Tofsrud
Cunningham	Nelson of Steele	Tufte
Duncan	Nelson of Traill	Ueland
Ganssle	Oveson	Walker
Graham	Parkhill	Watts
Grant	Peake	Wedge
Griffith	Piper	Welford
Halaas	Plath	Mr. Speaker
Hallick		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Elhard	Mockler
Andrus	Evans	Monek
Burdick	Flamer	Restemayer
Buttz	Giedt	Simpson
Chapman	Hanawalt	Stevens
Crawford	Hankinson	Treat
Dean	Johnson of Ward	Wake
Dibley	Jones of Ransom	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Mathews	Schlenker
Freeman	McDowall	Shannafelt
Garden	Murphy	Sinclair
Gibbens	Moore	Shirley
Martin of Billings	Rose of Dickey	Syverson

Messrs. Moore, Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 25 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker administered the oath of office to O. H. Kil-land as clerk.

Mr. Stevens moved

The the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker in the chair.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Shannafelt, Shirley and Syvertson, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Halaas presented the following petition:

The undersigned residents of Foster county respectfully petition the legislative assembly of the state of North Dakota to pass House Bill No. 208, relating to stock running at large.

J. R. RUSK,
And 15 Others.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 302,

A bill for an act to repeal section 3013 of the Revised Codes of North Dakota for the year 1905, relating to bridge funds.

Also,

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Also,

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Also,

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Also,

House Bill No. 314,

A bill for an act amending section 605 of the Revised Codes of 1905, relating to the qualifications of electors.

Also,

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Also,

House Bill No. 267,

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the Revised Codes of 1905, relating to the removal of county seats."

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Also,

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for the assessment of their property and the taxation of the same.

And find the same correctly engrossed.

O. S. Aaker,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on temperance made the following majority report:

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 305,

A concurrent resolution to amend section 217 of the Constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. HEMMINGSON,
G. N. MIDGARDEN,
EDWIN CHURCH,
JOHN OYESON,
O. G. NELSON,
N. O. BLEGEN,
ARNE P. HAUGEN.

The committee on temperance made the following minority report:

Mr. Speaker:

A minority of your committee on temperance to whom was referred

House Bill No. 305,

A concurrent resolution to amend section 217 of the Constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

Have had the same under consideration and recommend that the same do pass.

JACOB ROHS,
L. PARKHILL,
D. R. JONES,
GEO. ELHARD,
JOSEPH MORIN.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporation other than municipal to whom was referred

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Have had the same under consideration and recommend that the same do pass.

O. L. JENSEN,
Chairman.

Mr. Jensen moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee on coal lands and mining to whom was referred

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Have had the same under consideration and recommend that the same do pass.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill in line 10, after the figure 1905, add "provided that when the report of any operator of a coal mine in this state shows that the output of his mine has not been more than 500 tons of coal for the year, the \$5.00 paid as license shall be returned to such operator."

Also strike out the emergency clause.

And when so amended recommend the same do pass.

J. F. BRODIE,
Chairman.

Mr. Brodie moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred

Senate Bill No. 9,

A bill for an act to amend and re-enact section 2330 of the Revised Codes of 1905, relating to the division of counties.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 250,

A bill for an act to amend section 2771 of the Revised Codes of 1905, regulating sewers.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxation and tax laws made the following report:

Mr. Speaker:

Your committee on taxation and tax laws to whom was referred

House Bill No. 57,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption of real estate taxes.

Also,

House Bill No. 86,

A bill for an act providing for the assessment of freight line and equipment companies.

Also,

House Bill No. 178,

A bill for an act entitled, "An act to amend section 1230, Revised Codes, 1899, North Dakota, relating to tax lists to be made out by county auditors."

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Have had the same under consideration and recommend that the same be amended as follows:

Amend section 2: strike out proviso after "state" in line 5 of printed bill and insert in lieu thereof the following: "If the superintendent shall receive any money or goods for the purpose of furnishing extra attention and comfort to any patient he shall account for the same in an itemized statement to the board of trustees."

In section 3, line 4, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "ten;" and the figure "\$16" and insert in lieu thereof the figure "\$10;" and after the word "month" in the same line insert the following: "For residents of the state, provided, however, that all nonresidents shall pay the actual cost of care and treatment."

In section 10, line 6, of the printed bill, strike out the word "July" and after the word "January" add "April, July and October."

Strike out all of section 12 and change the numbering of the following sections accordingly.

In section 14 of the printed bill, in line 1 after the word "county," add the following: "Or the state of North Dakota." In the same section, in line 3 after the word "county," insert the following: "Or the state of North Dakota."

Add to the bill the following emergency clause: "Whereas, an emergency exists, therefore, this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Have had the same under consideration and recommend that the same do pass.

T. E. TUFTE,
Chairman.

A minority of the committee on public printing made the following report:

Mr. Speaker:

A minority of your committee on public printing to whom was referred

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Have had the same under consideration and recommend the following bill as a substitute therefor:

A bill for an act regulating public printing and binding, and prescribing the duties of public boards and officials in relation thereto.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. Section 2282 of the Revised Codes of 1905 is hereby amended to read as follows:

Sec. 2282. All state, county and other public printing, binding and blank book manufacturing, blanks and other printed stationery shall be done only by established and qualified printing and publishing houses that shall have been established and in continuous business in this state not less than one year, except as in this section otherwise provided, and where practicable shall be awarded to established institutions in the county for which such printing is required; provided, that the rates charged for such printing, binding, blanks and other supplies shall not exceed more than fifteen per cent the sum or sums the same class and quality of work can be secured for from publishing houses outside the state. In case any board or official empowered to secure public printing and binding as provided herein shall

ascertain that there exists any combination, agreement or understanding by and between two or more publishers or publishing houses in this state, directly or indirectly fixing the prices to be charged for the printing mentioned in this section, or where prices in excess of the maximum rates prescribed herein are charged, then and in that event the provisions of this section shall not apply to officers and boards empowered to secure public printing in relation to which any such combination, agreement or understanding as mentioned herein exists from publishing houses outside the state. Every voucher for public printing and binding mentioned in this section shall have thereon or attached thereto a duly verified affidavit setting forth that the prices charged are reasonable and just and in accordance with law; that no agreement, combination or understanding exists with any other person, firm or corporation in the printing and publishing business, fixing the charges therein for such printing and binding, and that no agreement or understanding exists by which a division of any portion of the amounts charged has been or is to be made, either directly or indirectly, with any board, or member thereof or any person or official authorized or empowered to secure public printing mentioned in this section. Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 2. Whereas an emergency exists in that there is now no adequate law covering the provisions of this act, therefore this act shall take effect from and after its passage and approval.

And recommend that the substitute do pass.

D. R. STREETER,
WM. SIMPSON.

Also,

House Bill No. 136,

A bill for an act to repeal section 2282 of the Revised Codes of North Dakota, for 1905, being chapter 125 of the Session Laws of the State of North Dakota for the year 1899, relating to public printing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. TUFTE,
Chairman.

Mr. Tufte moved

That the report as to House Bill No. 136 be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

REPORTS OF SELECT COMMITTEE.

February 25, 1907.

Mr. Speaker:

Your select committee on state institutions submits herewith the reports of its sub-committees which visited said institutions, such reports being signed by visiting members.

State penitentiary, Bismarck, and reform school, Mandan.—F. B. Chapman, D. R. Streeter.

Deaf and dumb school, Devils Lake.—S. N. Putnam.

State normal school, Valley City.—A. E. Jones, Amasa P. Peake.

State normal, Mayville.—T. O. Burgum, G. H. Stevens.

Agricultural college, Fargo.—A. E. Jones, Amasa P. Peake.

State hospital for the insane, Jamestown.—Amasa P. Peake.

Institution for feeble minded, Grafton.—John E. Hanawalt, T. O. Burgum.

State university, Grand Forks.—T. O. Burgum, John E. Hanawalt.

School of science, Wahpeton.—D. E. Blake, A. E. Jones.

Industrial school and school of manual training, Ellendale.—D. E. Blake.

Respectfully submitted,

AMASA P. PEAKE,

Chairman.

Mr. Stevens moved

That the reports of the special committees be printed in the journal and the reading of the same be dispensed with.

Which motion prevailed.

REPORT ON INSTITUTION FOR FEEBLE MINDED.

MR. SPEAKER:

We, your committee of the house of representatives of the tenth legislative assembly, who were appointed to investigate the condition and needs of the institution for feeble minded located at Grafton, beg leave to report:

That we proceeded to Grafton on February 5, 1907, and there made a thorough investigation of the buildings and equipments of the institution, from which inspection we report the buildings in good condition and well kept and the management of the institution efficient and economical.

With regard to the needs of the institution, we would report that the items included in Senate Bill No. ——— have been separately investigated by your committee and we report the estimates as conservative. These items are to cover expenditures for the succeeding biennial period and in detail are as follows:

Maintenance	\$ 19,000.00
Employes' wages, including officers' salaries	24,000.00
Fuel and lights	9,000.00
Training school supplies and amusements	400.00
Incidental expenses	1,000.00
Drugs and medicines, etc.	500.00
Repairs	500.00
Plumbing	250.00
Beds and bedding	600.00
Furniture	600.00
Electrical supplies and repairs	100.00

Supplies for engine room	400.00	
Laundry machinery and repairs	200.00	
Paints and painting	1,500.00	
Farm implements and vehicles	600.00	
New buildings and additions to present:		
New power house	\$ 25,000.00	
Remodelling west wing	12,000.00	
Tank and tower	1,500.00	
Fire apparatus and water connections	1,000.00	
Farm house	1,500.00	
Granary and machine sheds	800.00	41,800.00
Stock		400.00
Improvements to grounds		1,000.00
Additional land		6,000.00
Total	\$ 107,850.00	

We find that the number of inmates in the institution at this time is 104 and as the institution building was originally planned for 100 inmates the same is now crowded beyond its planned capacity. From the report of the superintendent we find that for the period of nineteen months commencing November 1, 1904, and ending June 30, 1906, the institution has received 61 inmates and during the same period registered a total of 136. With the population of the state increasing and basing the growth of the institution population upon the figures submitted in the report of the superintendent, it is more than probable that the institution will be called upon to care for 160 to 175 inmates before the close of the next biennial period. This would leave the institution wholly unable to care for or receive the large number of inmates who would seek admission. Your committee, therefore, sees the great necessity of the proposed erection of another story to the west wing of the main building, which will give additional room for dormitories, employes' rooms and double the size of the assembly hall, already too small for the institution's needs. Your committee also has investigated carefully the needs of the proposed power house and the installation therein of suitable machinery for the generating of electricity for light and power. At the present time the institution is without adequate means of fire protection, and your committee deems that the erection of a water tank and tower and laying of mains are prime necessities for the proper protection of the property of the state against fire. The ninth legislative assembly appropriated for this institution the sum of \$6,000.00 for additional land, but because of the financial condition of the state, the governor vetoed this item. Your committee has viewed the land proposed to be purchased and deem it admirably situated and adapted for the needs of the institution; it being adjacent to the tract now owned by the state upon which the institution is located. The price, \$6,000.00, is most reasonable.

Your committee respectfully reports favorably upon all the items of the Senate Bill No. ——— and believes the passage of the bill essential to the needs of the institution.

All of which is respectfully submitted.

JOHN E. HANAWALT,
T. O. BURGUM.

REPORT ON STATE NORMAL SCHOOL AT VALLEY CITY.

MR. SPEAKER:

Your committee, in the person of Mr. Jones of Ransom and Mr. Peake of Barnes, visited the state normal school at Valley City, North Dakota, on Friday, February 1, 1907.

Your committee made a careful inspection of the buildings and found them clean in every particular. The main building, now more than fifteen years old, needs painting and new floors, and the roof is evidently leaking badly, requiring extensive repairs.

Your committee saw the entire student body together in the assembly room, which contains 289 opera chairs. The roll call showed 442 students present out of a total enrollment of 460 for the school year beginning September, 1906. Those students who could not be seated in the regular seating provided, to wit: 289, were arranged around the side aisles and overflowed into the halls opening into the room. As there is only one aisle in the center and one on each side it will seem that the room is seated to its ultimate capacity and that the need of the school for a larger assembly room is imperative.

The work of a normal school is such that an assembly room where lectures can be given and other exercises held is absolutely necessary, as without such a room the teaching spirit of the school cannot be developed properly and the work of the teachers' summer school, which had an attendance of 433 in July and August, 1906, cannot be successfully carried on.

Your committee visited class rooms and library and found many of the class rooms too small for the classes there gathered and the library in need of many additional books of reference. A feature of the school that attracted especial attention was the practice school, located in the east wing. There your committee found four rooms, each containing between fifty and sixty children with small class rooms opening off. Each of these rooms was in charge of a specialist in the work of the grades there represented, and in the main room and the class rooms opening off, the young men and women of the senior and junior classes of the normal were engaged in the actual teaching of classes under the trained supervision of the critic teachers.

The completeness of this part of the normal school's work explains the success of its graduates in their chosen occupation.

Your committee saw the senior class of the school in the class room of President McFarland. This class is 92 in number and there were 88 in the class room we visited. Most of the first-class high schools and many of the second class being represented. In 1899 this school graduated four students, showing an enormous growth in seven years.

In looking over the enrollment for the year beginning September, 1906, we found 32 counties of North Dakota and 6 other states represented. Most of the students from other states being high school graduates who have come to this state for their professional work intending to teach here after graduation.

Your committee visited the dormitory and found 74 young women well taken care of there. The two buildings used for this purpose are well arranged and would be perfect if they were large enough to take care of those applying for room. They are perfectly clean and neat and the meals are good and well served. The building which was on the property when purchased by the state requires painting and repairs to roof. The dormitory grounds need considerable work and expenditure to put them into condition corresponding in appearance with that of the adjacent property.

On Tuesday, February 5th, Mr. Peake of your committee, in company with Messrs. Jensen and Halaas of the house, again visited the normal school and was present at the chapel exercises in the assembly room. The attendance was 445 on that day. The party visited the gymnasium which is in the attic of the west wing and saw the senior class under the instruction of the physical culture directress, Mrs. Herrick. All of the young women of the school are under her charge and physical work is compulsory. The lighter exercises are used and all graduates will be able to instruct in use of dumb bells, Indian clubs and wands. The influence for good from a health standpoint has been very great and the demand for

teachers who understand the rudiments of physical training is constantly increasing.

Respectfully submitted,

AMASA P. PEAKE.

MR. SPEAKER:

Your committee, consisting of Mr. Jones of Ransom and Mr. Peake of Barnes, visited the state agricultural college at Fargo on Saturday, February 2, 1907.

Your committee made an inspection of the buildings and found the new buildings in good condition, but the old ones in bad repair from leaky roofs, cracked walls, etc. The janitor work is well done.

There is no assembly room large enough to contain the student body of the college and therefore your committee did not see the student body together, but in the various work shops and class rooms.

Examination of the records of the registrar revealed an enrollment of 851 for the school year beginning September, 1906, most of whom are in daily attendance. The rolls show 37 counties of North Dakota, 9 other states and two Canadian provinces represented.

In some departments, especially that of steam engineering, the records show great overcrowding and in spite of advertisements in various papers of the state to the effect that certain departments were overcrowded, registration had to be refused to 279 students of special courses who applied.

President Worst called attention to the need of an armory building, which could also be used for general meeting purposes when necessary and for school athletics. The present building is utterly inadequate and this need should be taken care of if possible. There is no dormitory or woman's building belonging to the college and the school is very much hampered by this lack as proper accommodations for young women is hard to secure. The present class rooms occupied for domestic training are small and are needed for other purposes.

Your committee visited the quarters of Prof. Bolley and Prof. Ladd and found them well equipped in the new buildings. Your committee found a stock judging class at work in the class room adjoining the stock barn and examined the facilities for caring for the stock and implements of the college farm. In this connection we would say that a new shed for machinery should be built at once as the one now in use is too small to contain the threshing machines and is not properly constructed.

Your committee visited the heating plant and found the same in excellent condition but very short of fuel as the parties who had the contract for the delivery of lignite coal, the Washburn Coal Co., had failed to get their shipments through for some weeks and the college was depending on Illinois soft coal furnished by Jas. J. Hill of the Great Northern railway.

Your committee visited the mechanical building and found a class of 40 at work in the blacksmith shop and great interest shown by all students in the mechanical department. More room is urgently needed for this branch of the college work.

Taken as a whole, your committee believe that the agricultural college is doing a work of great value to all parts of our state and suggest the earnest consideration of all measures affecting its welfare by all members of the house of representatives of the state of North Dakota.

Respectfully submitted,

AMASA P. PEAKE.

MR. SPEAKER:

Your committee, in the person of Mr. Peake of Barnes, visited the state hospital for the insane at Jamestown, North Dakota, on Wednesday, February 6, 1907. Under the guidance of Dr. Moore and accompanied by two

members of the board of management, your committee inspected the wards, dining room, kitchens, store rooms, stables and heating plant, finding everything about the institution clean and in good order. The wards, in spite of the two new buildings constructed during the last biennial period, still present a crowded appearance and there is urgent necessity for a ward building properly constructed for the care of those afflicted with violent mania.

The average number of patients for the eighth biennial period was 438.44, and for the ninth, 459.14; at the same rate of increase for the present period the average will be 482.

The total cost of maintaining the institution shows an increase of about one dollar per month per patient. Said increase being due to the advance in the price of all commodities.

Your committee was especially pleased with the new hospital building which is constructed in the best possible manner and which furnishes a place for the care of the sick insane that no state need be ashamed of.

A new ward building used for those patients who do the outside work of the institution is comfortable and well built. It was particularly necessary as it segregates those who are employed in the care of the cattle and horses and keeps the odor of the stables from permeating the buildings occupied by other patients.

An improvement is noted in the kitchen, where a cement floor has been laid, preventing damage to goods and supplies stored in the basement.

The facilities for the care of meats and provisions are utterly inadequate and a cold storage plant should be provided at the earliest possible moment, as at present there must be a very considerable waste from the spoiling of meats due to improper storage.

The institution keeps an average of sixty cows which furnish milk for the use of patients. Your committee was struck by the good condition of this stock after so severe a winter and would suggest the advisability of constructing a silo adjacent to the barn as milk is a large item in the diet of many of the patients.

The new Heine watertube boilers added to the heating and power plant during the past biennial period are doing good service and furnish an abundance of steam for heating the buildings in the coldest weather.

Your committee was especially pleased with the cordial relations evidently existing between the superintendent, Dr. Moore, and the patients, and with the fact that the entire force of the institution appear to be working in harmony for the best interests of the state and those under their care.

All of which is respectfully submitted.

AMASA P. PEAKE,
Chairman.

REPORT ON DEAF AND DUMB SCHOOL.

Relative to the school for the deaf situated at Devils Lake. Your committee begs to report as follows:

On February 6th inst. S. N. Putnam, of said committee, as per request, visited said school and in company with superintendent spent about five hours in inspection of buildings and visiting classes.

There are at present 65 pupils in attendance and certainly the children have none too much room as it now is. In the dining room tables were spread and in some cases were so close together that when the pupils were seated there was not sufficient room for the attendants to pass between. The food was plentiful and wholesome and when we were told that the average cost per meal was less than seven cents we realized more than before the excellence of the management.

The dormitories are crowded. I could see one or two places where an extra single bed might be crowded in, but in the interests of sanitation would say that the sleeping apartments are already overcrowded.

In the class rooms a spirit of earnest enthusiasm was very evident. Teachers and pupils appeared in full accord and the first difference noted between these pupils and those of the ordinary school was that the attention was closer.

There is a carpenter shop and printing outfit and here the boys are taught carpentry and printing.

The girls are taught sewing, dressmaking, fancy work and light house work. I was assured that if the outdoor help should suddenly leave that the older boys could temporarily take their places without trouble.

Superintendent D. F. Bangs very courteously showed us around, explaining everything with an ease which indicated complete familiarity with all features of the institution. He is both manager and bookkeeper, and goes into detail with a thoroughness which bespeaks the business man. Superintendent Bangs is a man eminently fitted for the position he now occupies.

From inquiry, Superintendent Bangs finds that there are about forty deaf mutes now in the state and outside the institution, who should be there. Of these twelve or more have made application for admission.

It is very apparent that the institution needs all that it asks for and that very few more pupils should be admitted before enlarged accommodations are provided.

S. N. PUTNAM.

REPORT ON INDUSTRIAL SCHOOL AND SCHOOL OF MANUAL TRAINING.

MR. SPEAKER:

Your committee appointed to investigate state institutions begs to report on the condition of the industrial school and school of manual training at Ellendale as follows:

The state constitution located this school at Ellendale in the county of Dickey "for manual training or such other education or charitable institution as the legislative assembly may provide."

This institution is nicely located not far east and south from the business portion of Ellendale, which is a city of about twelve hundred inhabitants, situated in the southern part of Dickey county on the Great Northern and Chicago, Milwaukee & St. Paul railroads. The site upon which the school stands is small, comprising about forty acres, but the state owns in addition to that a tract of about forty acres, lying adjacent to and south and east of the school grounds proper.

It has three very substantial buildings lying in a line from north to south. At the north Carnegie Hall, connected by a brick vestibule with the original industrial school building, and a little further to the south stands the new armory building, which is a very substantial brick structure 50x70 feet of one floor with galleries above well supported by rods and brackets. The main buildings are all of brick structure; old building, size 68x68, three story, cost \$14,000; Carnegie Hall, size 80x128 feet, cost about \$35,000.

The buildings all face west and are all in good condition and every portion occupied to its limit. A great deal of the room on second floor being used for dormitory.

Visitors for the first time are specially impressed with the size and significance of the buildings, with the earnest and energetic work of the faculty and the interest taken by the pupils in their work, especially in the drawing rooms where original plans are drawn for moulding, cabinets, architectural and mechanical work, also designs are made for the various kinds of needle work, all of which are worked out by the pupils with the proper apparatus in the various shops to conform to their original designs.

The rooms in the building now used for living rooms are needed for recitation rooms and other purposes and a dormitory building is a great necessity to accommodate pupils, who sometimes have to return home on account of not being able to secure rooms.

The power house is in the basement, which is not the best arrangement considering the high pressure used for heating and mechanical purposes.

The enrollment of the school for the present year is 238.

Your committee recommends an appropriation for a dormitory, maintenance, etc., such as is consistent with the amount of state funds available for that purpose.

Respectfully,

D. E. BLAKE,
Chairman.

REPORT ON PENITENTIARY AND REFORM SCHOOL.

MR. SPEAKER:

Your committee to whom was assigned the duty of visiting certain state institutions made the visits thereto as directed, and hereby submit their report thereon:

In company with Senator Purcell and Representative Freeman, the members of your committee visited the penitentiary. We were shown through the various buildings and every opportunity was given us to see all that was to be seen at the institution. We found everything in perfect order, even to the minutest details. Cells, floors, tables, closets, etc., were clean and wholesome in appearance, and the general appearance of the inmates showed that they were well fed and properly cared for. The sanitation of the various buildings seemed to be good, and the appliances for the safe keeping of the prisoners up to date.

We do not deem it necessary to go into details as to statistics, for the reason that such matters are carefully set forth in the biennial report of the warden. We confine ourselves to a brief statement of conditions as we saw them, and our recommendations as to the appropriations are based on what appeared to us as absolutely necessary.

Since the last session of the general assembly there has been built a new hospital, and we found this building first-class in every particular, the same being handily arranged for the care and keeping of sick inmates. This building is indeed a model of its kind, as are all the other buildings on the penitentiary grounds. Practically all the work was done by inmates.

Another improvement that was badly needed was made during the year just ended. We refer to the large three-story and basement building intended to house many departments of the institution. The basement will be used as a cellar and for cold storage purposes. On the first floor will be the kitchen and store room. The second floor will be used as an inmates' dining room and the third floor as a chapel. This building is practically finished, and will be occupied as soon as a few articles in the way of fixed furnishings arrive and are put in.

Your committee visited the twine plant. The plant was in full blast. At the time of our visit something like one hundred and fifty thousand dollars' worth of completed twine was stored in the warehouse. Eighty prisoners are employed in the plant when it could be easily operated by seventy or less. Judging from the success of this plant, the demand for twine and cordage, the number of unemployed prisoners, it might be well to consider its enlargement.

As we understand it, the appointment of this committee was for the purpose of ascertaining by a visit to the penitentiary what in our opinion is most necessary, or, rather, what we believe to be the most important of the improvements asked for.

To comfortably house the inmates and economically run the machinery of the institution, we believe that every dollar of the appropriation asked for should be given. But, as it is not always possible for a North Dakota general assembly to meet every request that comes to it, we have thought it well to give our idea as to the relative importance of the requests, as above stated.

First in this respect is the absolute necessity for a new cell-house. At present there are cells for 160 inmates in the cell-house, while at the date of our visit there were nearly 250 prisoners within the walls. Such a condition should be at once remedied. Steps should be taken by the tenth legislative assembly to remedy this condition. On the scores of safety and economy this should be done. At the present time about forty prisoners are occupying a single room. This is necessary owing to shortage of cells, and is unsanitary as well as dangerous. There will soon be such an overcrowding of prisoners that the warden, having no place in which to lock them up, and no facilities for putting them at work—they must perforce be herded together like cattle—something that the theory of punishment by the state does not contemplate.

The next matter of importance is, we believe, the purchase of additional farming land close enough to the prison that it may be worked by the inmates. Had the land required been purchased a few years ago the cost would have been considerably less than it can be procured for at present. But farm values in all parts of the state are rapidly rising, and the putting off of the purchase of more land for this institution means that, later, if land suitably located can be obtained at all, it will be at a largely enhanced price.

At present most of the officers and employes are compelled to reside in town. It is said that experience has shown that it is very desirable that all employees of punitive or reformatory institutions reside at or near the institution in which they are employed, to the end that they may be quickly on hand in case their services are suddenly needed. For the purpose of "building houses for the deputy warden and other officers and employees who ought to reside near the institution" the warden asks an appropriation of \$6,000, and we believe that this request will be found to be a modest one when compared with many others of the estimates asked by the gentlemen having in charge the disbursement of the public funds biennially appropriated to the various public institutions of the state.

Some additions or changes to the building in which the officers' quarters and the offices are situated are much needed. For this work a small appropriation is needed—the amount named by the warden being \$4,000. The fact that in the building appropriations asked for by the penitentiary authorities the sum is always small in comparison with the volume of work to be done is explained by saying that the larger part of such work is performed by the prisoners.

In conclusion your committee will unhesitatingly state that in their judgment the penitentiary is conducted in a manner upon which it would be hard to improve. Many senators and members have, during the present session, visited the penitentiary. With many of these your committeemen have conversed regarding what they saw, and, without exception and regardless of factional or party membership, the views they have expressed have been identical with ours.

THE REFORM SCHOOL.

Your committee, a few days after their visit to the penitentiary, went to Mandan to perform that part of their assignment which instructed them to visit the reform school.

This institution is a mile or a mile and a half from town, and is situated in the valley of the Heart river.

We were shown through the building by Mr. J. W. Brown, who fills the dual position of superintendent-secretary. Mr. Brown is well and favorably known throughout the nation as one of the most experienced gentlemen having reform-school work in charge. For twenty-six years immediately before his services were secured by the board of trustees of the Mandan institution he was assistant superintendent or superintendent of the Minnesota reform school at Red Wing. We found in him a pleasant, unassuming gentleman, having a thorough knowledge of every detail of his work and deeply interested in doing it well.

To those who are possessed of the idea that our state reform school is conducted along penitential lines a visit to the place would be a revelation. There isn't a sign of wall, or bolt, or bar, or armed guard. The children are put upon their honor. They are treated as any wise and just father of a family would treat his children. They go to him with their complaints and troubles as other children would go to their natural father. We could easily see by the demeanor of the youngsters that they were ruled by love and not by fear. Their appearance was that of hearty, healthy, well-fed and comfortably clad children. We visited them in their school and saw them at play, in their dining room, their dormitory and the kitchen where their food is prepared. There was nothing anywhere to provoke unfavorable criticism, as far as we could see.

As at the penitentiary, so at the reform school a great part of the building work has been done by the boys, and one is astonished when told that all of the inside work on the upper story of the building was done by the boys, with Mr. Brown as the boss carpenter. The plumbing work was also done in the same way.

The great need of this institution is more land. At present it has forty acres, about ten acres of which are level enough for the raising of crops. As a result there is not work enough for the boys, who might be pleasantly and profitably employed during the planting, growing and gathering seasons if they could cultivate more land. About thirty acres of the school farm is rough land, fit only for pasture purposes.

The pipe which conducts the sewage away from the building opens into a sink-hole far enough from the building to render the inmates safe from any injurious effects therefrom. But the sink-hole or sewage well is located on land that does not belong to the state, and therefore its owner may at any time order the pipe off his premises and compel the destruction of the well. Provision should at once be made for the purchase of some ten acres of land immediately east of the school building, provided the owner does not demand an excessive price therefore; and, failing to purchase it at a fair figure, condemnation proceedings should be promptly begun. There should be at least a quarter section more of farm land, in addition to the ten acres or so on the east. Your committee ascertained that such land could be procured north of and adjoining the land belonging to the school; but that something like \$40 an acre is the price asked. We were also informed that at the top of the hills south of the school a table land began, the soil of which is as good as that of any of the upland prairie to be found in any part of this state, and that this land, to the extent of a section or less, could be procured for about \$20 an acre—or about half the price of the valley land north of the school. Your committee would recommend that, in case any additional land shall be bought, great care be exercised by those responsible for the purchase to ascertain which is more desirable at the price asked—the dearer or the cheaper land.

At the time of our visit to the school there were but two female inmates thereof. Undoubtedly it would be better to have the girls segregated from the boys. But in the opinion of your committee the evil of having them in the same building is very small while there are but a few girl inmates. At any rate, it seems to us that, with all of our schools and other institutions crowded to overflowing, and with demands for additional buildings being made by all of them, the volume of the state's income is not sufficient to meet all necessary requirements in this direction, and, therefore, those which can possibly do so will have to wait until there are more people and more taxable property in North Dakota.

Your committee found at the home a case that excited their deepest sympathy. A boy 19 years of age, named William Gorman, from Pembina county, is bedridden with a tubercular affection of the thigh. At one

time it had healed, but the boy was devoted to athletics, and he took part at the Fourth of July events at the school last year; the exercise proved too strenuous and the affection again appeared. The youth has since that time been confined to his bed. Apparently everything is being done for him that can be done. But hospital accommodations for cases of this character do not seem to be of the best. The boy has a comfortable bed, but, as no other room is available he occupies a large hall intended for other purposes, the bed being about the only article of furniture in the room, which is certainly altogether too gloomy a situation for a boy apparently bright and of good physique. The superintendent informed your committee that the boy is not incorrigible but was sent to the school for the reason that he is an orphan and had no relatives that are able to provide for him. We would recommend that provisions be made by this session of the general assembly for sending the boy to some reputable institution where the ravages of the disease may be arrested and his health restored.

Respectfully submitted,

F. B. CHAPMAN,
D. R. STREETER.

REPORT ON WAHPETON SCIENCE SCHOOL.

MR. SPEAKER:

Your committee appointed to investigate state institutions begs to report on the condition of the science school at Wahpeton, as follows:

This institution was located at the city of Wahpeton by the constitution of the state with a grant of 40,000 acres. The site is located at the north end of Sixth street, about one-half mile from Main street, and is very desirable.

The object of the institution as expressed in the enabling act is to furnish a college grade of instruction in the sciences, mathematics, political science and pedagogy.

The school now owns a tract of ten acres lying south and adjacent to the property formerly that of the Red River Valley university. No building has been erected for this school up to the present time with the exception of a one-story cement block building 30x70 feet, used for mechanical apparatus, and a lean-to used for housing a sample threshing engine, at total cost of \$5,000.

The trustees of this school in 1905 secured an option on the purchase of the Red River Valley university building for \$20,000, including a tract of ten acres of land upon which the building is situated, \$5,000 of the above amount has been paid as rental or to be deducted from the \$20,000 if the building is bought. This balance together with accrued interest amounts to about \$17,000.

The sewerage system instituted by the trustees at a cost of \$5,000 was very much needed and is doing its work of basement and surface draining completely.

The building is badly in need of repairs such as north and east outside wall and roof valleys, and fire escapes are needed. The basement needs more floor and the laboratory on that floor needs enlargement.

The plaster on some of the rooms needs repair and the ventilation should be improved.

The building appears to be worth about \$50,000, but will take at least \$5,000 to put it in repair. Governor Sarles in his recent message stated "the property purchased is worth at least \$50,000. I recommend an appropriation to complete the payments."

The school has about ninety pupils in attendance at present and with the necessary improvement and equipment it could easily take care of double the number with but little additional expense.

Your committee finds that the trustees figured on an economical basis in asking an appropriation of \$47,000 for the purposes as itemized in the bill.

A. E. JONES.
D. E. BLAKE,
Chairman.

REPORT ON STATE UNIVERSITY.

MR. SPEAKER:

We, your committee appointed to visit the state university at Grand Forks, beg leave to make the following report:

We arrived at Grand Forks February 1 and was escorted by Mr. William Budge to the university and then in company with President Merrifield we made a thorough inspection of all the buildings. And we find that the university faculty are at a great disadvantage from lack of room, each and every part being immensely crowded. The university is very much in need of an assembly hall at the present time. There is no room or hall in any of the buildings suitable for the assembling of the students and should certainly have a new building for the state school of mines. A large dormitory should be erected to care for a part of the many students who at the present time have to walk two miles to the city to room and board, which is not only inconvenient but a hardship. Another absolute necessity is the construction of about one and one-half miles of sewer to connect with the city sewer. This latter item your committee most respectfully urge and request. That the appropriation committee give this item their wise and careful consideration. It is also of great importance that the sum of thirty thousand dollars be appropriated to supplement the gift of the same amount from Andrew Carnegie for a Carnegie library. Your committee notes that the main building had during the past summer been thoroughly repaired by putting in new floors, lath, plaster, new roof and other numerous improvements, and in our judgment making the building equal to new. It is with pleasure your committee notes that all parts and everything pertaining to this institution are conducted in a first class business manner; all apartments being kept in a clean, neat and orderly manner. Table board is furnished at the rate of \$2.75 per week and rooms at 75 cents per week. We were informed that only 240 students could be accommodated at the university, about 500 having to secure board and lodging in the city of Grand Forks. Your committee deem the state of North Dakota has in President Webster Merrifield an educator second to none and with the corps of able assistants of professors and teachers are making our state university one of the first in our land, and we think the state legislature owe this institution a duty and should render all possible financial aid to our state university.

JOHN E. HANAWALT,
T. O. BURGUM,
Committee.

REPORT ON NORMAL SCHOOL AT MAYVILLE.

Bismarck, N. D., February 15, 1906.

MR. SPEAKER:

Your committee appointed to visit the state institutions beg leave to make the following report of the Mayville normal school:

Your committee inspected said school on February 5th and after carefully investigating said school recommend the following sums be appropriated:

For completing two basement rooms and six class rooms and one bath room for the boys the sum of fifteen thousand (15,000) dollars. For repairing old building by new plaster, new roof and numerous other improvements five thousand (5,000) dollars. For a shed for storing fuel one thousand (1,000) dollars. For improvement of grounds, including grading, walks, trees and seeding five thousand (5,000) dollars. For proper equipment of biological, physical and chemical laboratory and plumbing, furniture and apparatus the sum of five thousand (5,000) dollars. The gymnasium apparatus one thousand (1,000) dollars. For library books one thousand (1,000) dollars. For the equipment of manual training department, including tools and other necessary articles five hundred (500) dollars. For women's dormitory to accommodate 150 women and to furnish boarding accommodation for 200 students of both sex sixty-five thousand (65,000) dollars.

Your committee found the present attendance 200, Graduating, 1905, 33. Graduating 1906, 55. We further learned that of the fifty-five who graduated all are teaching excepting two or three who are married. And the present attendants of this normal school are young people who intend to become teachers.

We find the building thoroughly equipped with fire escapes, having one at each end of building and one at the north side, also a one-inch cotton rope in each room, also equipped with a standpipe and plenty of hose to extinguish fire in any part of the building.

Your committee are pleased to report the ableness of the faculty of this school and their genuine interest to make this normal school a lasting benefit to our state. The students are energetic, industrious and loyal. Taking into consideration the crowded condition of the building the work moves along very smoothly.

In closing this report your committee respectfully asks your honorable body and committee to give this report due consideration, to be just and liberal in appropriating financial aid to the Mayville normal school.

T. O. BURGUM,

G. H. STAVENS,

Committee.

The house returned to the Fifth order of business.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 246,

A bill for an act to amend sections 8040, 8041, 8042, 8043, 8044 and 8045 of the Revised Codes of 1905, relating to the probate of heirship.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 285,

A bill for an act to make certain kinds of slander criminal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 67.

A bill for an act to amend section 5404 of the Revised Codes of 1905, relating to effect of highways or railways, on right of way therefor, over or upon the lands conveyed.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 126,

A bill for an act to amend sections 8040, 8041, 8042 of article 6 of chapter 4 of the probate code of the Revised Codes of the state of North Dakota, 1905, relating to the special proceedings for probate of heirship.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 245,

A bill for an act authorizing the railroad commissioners to declare the franchise and charter granted to railway companies, forfeited upon the removal by such railway companies of any litigated matter from the state court to the federal court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The house returned to the Fifth order of business.

The committee on apportionment made the following report:

Mr. Speaker:

Your committee on apportionment to whom was referred House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the printed bill strike out the word "four" and insert in lieu thereof the word "five."

In line 4 of the printed bill strike out the word "four" and insert in lieu thereof the word "two."

In line 49 of the printed bill strike out the words "county of Traill and be" and all of line 50; insert in lieu thereof "townships of Belmont, Buxton, Caledonia, Elm River, Eldorado, Irvin, Hillsboro, city of Hillsboro, Kelso, Wold, Norway and the city of Reynolds, in the county of Traill, and be entitled to one senator and one representative."

In line 174 strike out the word "four" and insert in lieu thereof the word "three."

Add after the line 180 of the printed bill "the forty-fifth district shall consist of the township of Bohnsack, Blanchard, Bloomfield, Garfield, Galesburg, Mayville, city of Mayville, Morgan, Norman, Roseville, city of Portland and the village of Hatton, in the county of Traill, and be entitled to one senator and one representative."

And when so amended recommend the same do pass.

S. N. PUTNAM,
Chairman.

To the House of Representatives, Tenth Legislative Assembly, Bismarck, North Dakota:

We, the undersigned members of your committee on apportionment, have examined House Bill No. 278 and do hereby recommend the following:

That on page 7 of same, beginning with line 133, that the same be amended as follows: That that portion of said act applying to the county of McHenry be amended to read: "All that portion of McHenry county lying north of range 54 shall constitute the 34th district and be entitled to one senator and two representatives."

"All that portion of McHenry county lying south of the north line of range 54 shall constitute the 45th district and shall be entitled to one senator and one representative."

That line 136, page 7, be amended as follows: "That all that portion of McLean county lying north of the 7th standard parallel and east of the west line of range 80 shall constitute the 35th district and shall be entitled to one senator and one representative."

That all that portion of McLean county not embraced in the 35th district shall constitute the 46th district and shall be entitled to one senator and two representatives."

That line 118, page 6, be amended to read as follows: "All that portion of Bottineau county lying east of the Mouse river in said county shall constitute the 28th district and shall be entitled to one senator and two representatives."

"All that portion of Bottineau county lying west of the Mouse river shall constitute the 47th district and shall be entitled to one senator and one representative."

Line 101, page 6: That the 20th district, embracing the county of Benson, shall be entitled to one senator and three representatives.

*That the 33d district, embracing the county of Wells, be entitled to one senator and two representatives.

That the 27th district, embracing the county of Burleigh, be entitled to one senator and three representatives.

And that when so amended that the bill do pass.

WILL FREEMAN,
T. R. MOCKLER,
JOSEPH CRAWFORD,
JAMES McDOWALL,
JAMES DUNCAN,
A. A. MONEK,
JACOB ROHS,
G. H. STAVENS.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. O. J. Sorlie moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Aaker introduced

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Which was read the first and second times, and

Referred to the committee on taxation and tax laws.

Mr. McDowall introduced

House Bill No. 326,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Which was read the first and second times and
Referred to the committee on state affairs.

Mr. Simpson introduced

House Bill No. 327,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Which was read the first and second times and
Referred to the committee on county and county boundaries.

Mr. Nelson of Steele introduced

House Bill No. 328,

A bill for an act to regulate the width of sleighs, sleds and cutters used on public highways.

Which was read the first and second times and
Referred to the committee on highways, bridges and ferries.

Mr. Piper introduced

House Bill No. 329,

A bill for an act entitled an act concerning forestry, creating a state forestry commission, defining its duties, and making an appropriation therefor.

Which was read the first and second times and
Referred to the committee on appropriations.
The speaker in the chair.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole, for the consideration of Senate Bill No. 4.

Which motion prevailed, and

The house resolved itself into a committee of the whole.
The speaker called Mr. Pugh to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration Senate Bill No. 4,

A bill for an act relating to the qualifications of all state, county and city election officers.

And recommend that the same be indefinitely postponed.

THOS. W. PUGH,
Chairman.

Mr. Stevens moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That the vote by which the report of the committee of the whole was adopted indefinitely postponing Senate Bill No. 4 be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed and

The house resolved itself into a committee of the whole.

The speaker called Mr. Hankinson to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 208,

A bill for an act entitled, an act to amend section 1933, of the Revised Codes of 1905, relating to when stock may run at larke.

Amend in line 7 of printed bill: Strike out the words "or vicious" and "other" and insert comma after the word "stallion."

And when so amended recommend the same do pass.

Also,

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Strike out "Norman" and insert "Normania" in the tenth district.

In line 39, page 3, of the printed bill, strike out the word "Harvey."

Page 4, line 61, strike out "Webster" and insert "Gunkle."

Page 2, line 27, strike out "Harrison" and insert "Harriston."

Line 13, page 2, strike out the word "town" and insert the word "city" preceding the words "of Cavalier."

Page 4, line 71, strike out "Greenfield" and insert "Greendale."

Also, in line 3 of the printed bill strike out the word "four" and insert in lieu thereof the word "five."

In line 4 of the printed bill strike out the word "four" and in lieu thereof insert the word "two."

In line 49 of the printed bill strike out the words "county of Traill and be" and all of line 50; insert in lieu thereof "townships of Belmont, Buxton, Caledonia, Elm River, Eldorado, Irvin, Hillsboro, city of Hillsboro, Kelso, Wold, Norway and the city of Reynolds, in the county of Traill, and be entitled to one senator and one representative."

In line 174 strike out the word "four" and insert in lieu thereof the word "three."

Add after the line 180 of the printed bill: "The forty-fifth district shall consist of the township of Bohnsack, Blanchard, Bloomfield, Garfield, Galesburg, Mayville, city of Mayville, Morgan, Norman, Roseville, city of Portland and the village of Hatton, in the county of Traill, and be entitled to one senator and one representative."

And when so amended recommend the same do pass.

Also,

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

And recommend the same do pass.

R. H. HANKINSON,
Chairman.

Mr. Hankinson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The speaker in the chair.

Mr. Sorley of Grand Forks moved

That the rules be suspended and House Bill No. 278 be

considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 69, nays 24, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Parkhill
Anderson, Grand F'rks	Grant	Peake
Anderson, Bernt	Griffith	Piper
Anderson, O. P. N.	Halaas	Plath
Andrus	Hallick	Pugh
Blake	Hanawalt	Purdon
Brotnov	Hanson	Putnam
Burdick	Haugen	Restemayer
Burgum	Hosford	Rose of Dickey
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Thoreson
Collins	Law	Tofsrud
Connolly	Mathews	Treat
Crawford	McDowall	Tufte
Cunningham	Midgarden	Ueland
Dean	Miller	Walker
Dibley	Moore	Watts
Evans	Morin	Welford
Flamer	Nelson of Traill	White
Ganssle	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Hemmingsen	Simpson
Duncan	Jensen	Sinclair
Elhard	Martin of Morton	Stavens
Freeman	Mockler	Stevens
Garden	Monek	Streeter
Gibbens	Murphy	Swendseid
Giedt	Nelson of Steele	Wake
Hankinson	Rohs of Morton	Wedge

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Schlenker	Shirley
Brodie	Shannafelt	Syvertson
Martin of Billings		

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Putnam moved

That the vote by which House Bill No. 278 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 26, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 26, 1907.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 110,

A bill for an act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors; and to repeal section 9395 of the Revised Codes of 1905, being chapter 39 of the Session Laws of 1903.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Sorley of Grand Forks moved

That the rules be suspended and House Bill No. 278 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

Mr. Stevens moved

That after disposition of House Bill No. 315 the house take a recess until 10 o'clock tomorrow morning.

Which motion prevailed.

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 2, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Brotnov	Hanson	Rohs of Morton
Burdick	Haugen	Rose of Dickey
Burgum	Hemmingsen	Simpson
Buttz	Hosford	Sorley of Grand Forks
Carter	Jensen	Sorlie of Traill
Chapman	Johnson of Pembina	Stavens
Church	Johnson of Sargent	Stevens
Connolly	Jones of Barnes	Storey
Cunningham	Law	Streeter
Dean	Martin of Morton	Swendseid
Dibley	Mathews	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Moore	Wake
Ganssle	Morin	Walker

Messrs.—

Garden
Gibbens
Giedt
Graham

Those who voted in the negative were:

Monek

Absent and not voting:

Messrs.—

Adams
Blake
Blegen
Brodie
Casey
Collins
Crawford
Freeman

Messrs.—

Nelson of Traill
Oveson
Parkhill
Peake

Nelson of Steele

Messrs.—

Hankinson
Johnson of Ward
Jones of Ransom
Martin of Billings
McDowall
Murphy
Restemayer
Schlenker

Messrs.—

Wedge
Welford
White
Mr. Speaker

Messrs.—

Shannafelt
Sinclair
Shirley
Steen
Syvertson
Thoreson
Watts

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 315 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

On request of Mr. Burgum the privileges of the floor were extended to Hon. Ben Malough and W. S. Gill of Wheatland.

On request of Mr. Midgarden the privileges of the floor were extended to Messrs. A. Graham and H. Hove of Rohsland, N. D.

On request of Mr. Burdick the privileges of the floor were extended to Dr. Moore of Jamestown, N. D.

On request of Mr. Putnam the privileges of the floor were extended to Messrs. Allison of New Rockford and Edward Allison of Jamestown, N. D.

The house took a recess until 10 o'clock tomorrow morning.

P. D. NORTON,
Chief Clerk.

FIFTIETH DAY—AFTER RECESS
AND
FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

GENERAL ORDERS.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Tofsrud to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

And recommend the same do pass.

Also,

House Bill No. 218.

A bill for an act to repeal section 3111 of the Revised

Codes of North Dakota, 1905, relating to terms of office of township officers.

And recommend that the same be amended as follows:

Strike out the word "amend" in the title and substitute therefor the word "repeal."

In section 1, line 1, strike out the word "amendment;" and in line 2, after the word "be," add the following: "And the same is hereby repealed."

Strike out all of section 3111 together with the emergency clause.

And when so amended recommend the same do pass.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

And recommend that the same be amended as follows:

In line 13 of printed bill, after the word "re-attach" insert "providing there has been no loss while the policy was void."

In line 3 strike out the words "absolutely payable."

And when so amended recommend the same do pass.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

And recommend that the same be amended as follows:

By inserting after the enacting clause in the printed bill the following: "SECTION 1. That section 835 of the Revised Codes of 1905 be amended to read as follows:"

In line 2 of section 1 of the printed bill strike out the words "at the close" and insert in lieu thereof the words "between the first and twentieth day of June."

That section 1 of the printed bill be further amended in line 7 of same by striking out the word "and" immediately following the word "minded;" and inserting after the word "school" in the same line the words "or any model school in connection with any state normal school."

That said bill be further amended by inserting in line 17 of printed bill after the word "July" the following:

"Provided, that in districts where the number of persons of school age attending school for a period of sixty days during the school year in less than 50 per cent of the total enumeration, it shall be the duty of the county superintendent to withhold from such district its apportionment of state and county tuition funds until such time as a satisfactory explanation of the failure to send pupils to school is made by school board of said district to the county superintendent and superintendent of public instruction."

That line 35 of said bill be amended by inserting "section 2" before the first word in said line.

And when so amended recommend the same do pass.

Also,

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised

Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

And recommend that the same be amended as follows:

Add to section 1 the following: "Provided, the provisions of this section as herein amended shall be without force or effect as to all proceedings that may be instituted prior to October 1st, 1907."

Strike out all of section 2.

And when so amended recommend the same do pass.

Also,

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

And recommend that the same be amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. That section 4395 of the Revised Codes of 1905 be, and the same is hereby, amended to read as follows:

Section 4395. Maximum Coal Rate.] All railroad companies doing business as common carriers within the state of North Dakota shall not charge for the transportation of coal within said state a greater rate per ton than the following:

For the first ten miles or fractional part thereof, thirty cents per ton.

For any distance over ten miles and not to exceed fifteen miles, thirty-five cents per ton.

For any distance over fifteen miles and not to exceed twenty miles, thirty-seven cents per ton.

For any distance over twenty miles and not to exceed twenty-five miles, thirty-eight cents per ton.

For any distance over twenty-five miles and not to exceed thirty miles, forty cents per ton.

For any distance over thirty miles and not to exceed thirty-five miles, forty-one cents per ton.

For any distance over thirty-five miles and not to exceed forty miles, forty-three cents per ton.

For any distance over forty miles and not to exceed forty-five miles, forty-four cents per ton.

For any distance over forty-five miles and not to exceed fifty miles, forty-six cents per ton.

For any distance over fifty miles and not to exceed fifty-five miles, forty-seven cents per ton.

For any distance over fifty-five miles and not to exceed sixty miles, forty-nine cents per ton.

For any distance over sixty miles and not to exceed sixty-five miles, fifty cents per ton.

For any distance over sixty-five miles and not to exceed seventy miles, fifty-two cents per ton.

For any distance over seventy miles and not to exceed seventy-five miles, fifty-three cents per ton.

For any distance over seventy-five miles and not to exceed eighty miles, fifty-five cents per ton.

For any distance over eighty miles and not to exceed eighty-five miles, fifty-six cents per ton.

For any distance over eighty-five miles and not to exceed ninety miles, fifty-eight cents per ton.

For any distance over ninety miles and not to exceed ninety-five miles, fifty-nine cents per ton.

For any distance over ninety-five miles and not to exceed one hundred miles, sixty-one cents per ton.

For any distance over one hundred miles and not to exceed one hundred and five miles, sixty-two cents per ton.

For any distance over one hundred and five miles and not to exceed one hundred and ten miles, sixty-four cents per ton.

For any distance over one hundred and ten miles and not to exceed one hundred and fifteen miles, sixty-five cents per ton.

For any distance over one hundred and fifteen miles and not to exceed one hundred and twenty miles, sixty-seven cents per ton.

For any distance over one hundred and twenty miles and not to exceed one hundred and twenty-five miles, sixty-eight cents per ton.

For any distance over one hundred and twenty-five miles and not to exceed one hundred and thirty miles, sixty-nine cents per ton.

For any distance over one hundred and thirty miles and not to exceed one hundred and thirty-five miles, seventy-one cents per ton.

For any distance over one hundred and thirty-five miles and not to exceed one hundred and forty miles, seventy-two cents per ton.

For any distance over one hundred and forty miles and not to exceed one hundred and forty-five miles, seventy-four cents per ton.

For any distance over one hundred and forty-five miles and not to exceed one hundred and fifty miles, seventy-six cents per ton.

For any distance over one hundred and fifty miles and not to exceed one hundred and fifty-five miles, seventy-eight cents per ton.

For any distance over one hundred and fifty-five miles and not to exceed one hundred and sixty miles, eighty cents per ton.

For any distance over one hundred and sixty miles and not to exceed one hundred and sixty-five miles, eighty-two cents per ton.

For any distance over one hundred and sixty-five miles and not to exceed one hundred and seventy miles, eighty-four cents per ton.

For any distance over one hundred and seventy miles and not to exceed one hundred and seventy-five miles, eighty-six cents per ton.

For any distance over one hundred and seventy-five miles and not to exceed one hundred and eighty miles, eighty-seven cents per ton.

For any distance over one hundred and eighty miles and not to exceed one hundred and eighty-five miles, eighty-nine cents per ton.

For any distance over one hundred and eighty-five miles and not to exceed one hundred and ninety miles, ninety-one cents per ton.

For any distance over one hundred and ninety miles and not to exceed one hundred and ninety-five miles, ninety-three cents per ton.

For any distance over one hundred and ninety-five miles and not to exceed two hundred miles, ninety-five cents per ton.

For any distance over two hundred miles and not to exceed two hundred and ten miles, ninety-seven cents per ton.

For any distance over two hundred and ten miles and not to exceed two hundred and twenty miles, ninety-nine cents per ton.

For any distance over two hundred and twenty miles and not to exceed two hundred and thirty miles, one dollar and one cent per ton.

For any distance over two hundred and thirty miles and not to exceed two hundred and forty miles, one dollar and four cents per ton.

For any distance over two hundred and forty miles and not to exceed two hundred and fifty miles, one dollar and six cents per ton.

For any distance over two hundred and fifty miles and not to exceed two hundred and sixty miles, one dollars and nine cents per ton.

For any distance over two hundred and sixty miles and not to exceed two hundred and seventy miles, one dollar and eleven cents per ton.

For any distance over two hundred and seventy miles and not to exceed two hundred and eighty miles, one dollar and fourteen cents per ton.

For any distance over two hundred and eighty miles and not to exceed two hundred and ninety miles, one dollar and seventeen cents per ton.

For any distance over two hundred and ninety miles and not to exceed three hundred miles, one dollar and nineteen cents per ton.

For any distance over three hundred and ten miles and not to exceed three hundred and twenty miles, one dollar and twenty-four cents per ton.

For any distance over three hundred and twenty miles and not to exceed three hundred and thirty miles, one dollar and twenty-six cents per ton.

For any distance over three hundred and thirty miles and not to exceed three hundred and forty miles, one dollar and twenty-nine cents per ton.

For any distance over three hundred and forty miles and not to exceed three hundred and fifty miles, one dollar and thirty-one cents per ton.

For any distance over three hundred and fifty miles and not to exceed three hundred and sixty miles, one dollar and thirty-four cents per ton.

For any distance over three hundred and sixty miles and not to exceed three hundred and seventy miles, one dollar and thirty-six cents per ton.

For any distance over three hundred and seventy miles and not to exceed three hundred and eighty miles, one dollar and thirty-nine cents per ton.

For any distance over three hundred and eighty miles and not to exceed three hundred and ninety miles, one dollar and forty-one cents per ton.

For any distance over three hundred and ninety miles any not to exceed four hundred miles, one dollar and forty-four cents per ton.

For any distance over four hundred miles and not to exceed four hundred and ten miles, one dollar and forty-seven cents per ton.

For any distance over four hundred and ten miles and not to exceed four hundred and twenty miles, one dollar and forty-nine cents per ton.

For any distance over four hundred and twenty miles and not to exceed four hundred and thirty miles, one dollar and fifty-one cents per ton.

For any distance over four hundred and thirty miles and not to exceed four hundred and forty miles, one dollar and fifty-four cents per ton.

For any distance over four hundred and forty miles and not to exceed four hundred and fifty miles, one dollar and fifty-six cents per ton.

For any distance over four hundred and fifty miles and not to exceed four hundred and sixty miles, one dollar and fifty-nine cents per ton.

For any distance over four hundred and sixty miles and not to exceed four hundred and seventy miles, one dollar and sixty-one cents per ton.

For any distance over four hundred and seventy miles and not to exceed four hundred and eighty miles, one dollar and sixty-four cents per ton.

For any distance over four hundred and eighty miles and not to exceed four hundred and ninety miles, one dollar and sixty-six cents per ton.

For any distance over four hundred and ninety miles and not to exceed five hundred miles, one dollar and sixty-nine cents per ton.

Provided, that the above mentioned rates shall be for carload lots only.

In case any shipment of coal under the provisions of this section must pass over two or more lines of railroad to reach its destination, then an additional charge of two dollars and fifty cents per car for each transfer may be allowed and collected to cover cost of switching; and the total amount of freight and switching charges shall be divided among the several railroads concerned upon such basis as to them may seem just; provided, that if such railroads cannot agree among themselves upon an equitable division thereof, then the board of railroad commissioners shall decide the matter subject to appeal to the courts.

And when so amended recommend the same do pass.

Also,

House Bill No. 247,

A bill for an act to preserve the public health by regulating and prohibiting the use of feeding of unwholesome food products to live stock or animals used or kept for consumption as a food and by prohibiting the sale, barter or disposition of the same and all dressed or infected meats or food products therefrom.

And recommend that the bill be indefinitely postponed.

Also,

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

And recommend that the same be amended as follows:

Strike out the word "section" as it appears before "2, 3, 4 and 5" in said bill.

In line 13 of printed bill after the word "family" add the following: "And for the education of their minor children."

And when so amended recommend the same do pass

Also,

House Bill No. 184,

A bill for an act to amend section 2245 of the Revised Codes of 1905, relating to the license of grain warehouses.

And recommend that the same be amended as follows:

In the title add to the word "section" the letter "s."

After "2245" add "and 2246."

In lines 10 and 11 of printed bill strike out the word "twenty" and in lieu thereof insert the word "ten."

And to the printed bill add the following:

"SECTION 2. That section 2246 of the Revised Codes of North Dakota of 1905 be amended so as to read as follows: :

"Section 2246. License To Be Conspicuously Posted. Penalty.] The license thus obtained shall be posted in a conspicuous place in the public warehouse so licensed. Every such license shall expire on the first day of August of each odd numbered year, and no license shall run for a longer period than two years. Any person or association, who shall transact the business of public warehouseman without first procuring a license as herein provided, shall, on conviction, be fined in a sum not less than twenty-five dollars for each and every day such business is carried on."

And when so amended recommend the same do pass.

House Bill No. 62,

A bill for an act requiring all persons, firms associations, corporations, or trustees operating managing and conducting public warehouses within this state, to install therein

suitable, sufficient, and modern machinery for cleaning of grain offered for sale or storage at any such warehouse, requiring them to clean the same upon demand and regulating charges therefor.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

And recommend that the same be amended as follows:

By adding after the word "highway" the following: "With the consent of the board of township supervisors thereto."

And when so amended recommend the same do pass

Also,

House Bill No. 163,

A bill for an act to amend sections 4305 and 4306 of the Revised Codes of 1905.

And recommend that the same be amended as follows:

In line 5 of the printed bill strike out the words "all its sidings" and insert in lieu thereof the following: "Every platted or incorporated town or village on its line of railroad where there is a United States postoffice and stores, shops or other places of business, and."

In line 6 strike out the word "and;" and all of lines 7 and 8.

At the end of line 11 add the following: "To be collected by the state's attorney of the county where the town or village is situated, in a civil action."

Also strike out the emergency clause.

O. T. TOFSRUD,
Chairman.

Mr. Rose of Dickey moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

There being no objection, the house returned to the Fifth order of business.

REPORT OF STANDING COMMITTEES

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota, and for the creating of a board of armory supervisors and defining its duties, for the transfer of armories upon the mustering out of any military organization enumerated, and defining the duties of the state treasurer in carrying out the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 105,

A bill for an act making an appropriation for the erection of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 88,

A bill for an act to provide a site for the statue of

Sakakawea, the Indian guide of the Lewis and Clark expedition.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 133,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 108,

A bill for an act to provide an appropriation for the current and contingent expenses and for permanent improvements of the institution for the feeble minded at Grafton.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 275,

A bill for an act making an appropriation for the state historical society of North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 139,

A bill for an act to provide for making necessary improvements at the Industrial School and School for Manual Training, located at Ellendale, providing for the payment of interest on certificates of indebtedness and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of

the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 186,

A bill for an act making an appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed and
The report of the committee was adopted.

Also,
Senate Bill No. 14,

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 118,

A bill for an act making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for furniture and equipment and for library, bookcases and library furniture.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 268,

A bill for an act making an appropriation to pay for certain books for the state law library.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,

Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 185,

A bill for an act appropriating money to provide for the equipment and maintenance of a public laboratory in the medical department of the state university and school of mines at Grand Forks.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 301,

A joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices and authorizing an appropriation for the payment therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing an appropriation for its maintenance.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 91,

A bill for an act making an appropriation for completing the present building and for furniture, fixtures and improvements for the state normal school at Mayville and for the erection of a woman's dormitory for said school.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement, publicity and practical tests under the direction of the school of mines.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 39,

A bill for an act to provide for making needed permanent improvements for the school for the deaf at Devils Lake, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

That section 1 of said bill be amended as follows:

SECTION 1. Appropriation.] There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of twenty thousand dollars for permanent improvements and repairs to the school for the deaf at Devils Lake, viz:

For addition to main building	\$ 15,500.00
For new boilers and other heating apparatus	3,000.00
For repairing barn	1,500.00

Total	\$ 20,000.00
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And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

Also,
Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

Also,
Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause and substitute in lieu thereof the following:

"SECTION 1. Experiment Station Created and Established at Williston. Members of Board.] There is hereby created and established an irrigation and dry farming experiment station, to be located at or near Williston in Williams county, in connection with the North Dakota agricultural college at Fargo, and under the direction of a board composed of the board of directors of said college and one additional member to be appointed by the governor by and with the consent of the senate, whose term of office shall be for four years from and after the date of his appointment and until his successor shall have been appointed and shall qualify, and who shall receive for his services the sum of three dollars per day for each day employed under the direction of said board, or in attending its meetings, and five cents for each mile actually and necessarily traveled in connection therewith; provided, however, that said member's authority on said board shall be limited to the consideration of matters affecting the experiment station provided for in this act.

"SEC. 2. Duty of Board to Make Experiments With Grasses, Forage and Other Agricultural Products. Station Not To Be Established or Experiments Undertaken Unless Suitable Land Is Donated for this Work.] It shall be the duty of said board, as constituted herein, to make experiments at said station, through both irrigation and dry farming methods, with native and other forage plants, fruit trees, grains and grasses and other agricultural products, with a view to improving and enlarging the supply of forage plants, fruit trees, grains, grasses and other agricultural products of said district.. Provided, that such station shall not be established nor such experiments undertaken unless a suitable tract of land containing not less than one hundred and sixty acres, within two miles of the city of Williston, shall be donated free of charge, by warranty deed, to the state of North Dakota.

"SEC. 3. Appropriation.] There is hereby appropriated out of the funds of the state treasury not otherwise appropriated the sum of four thousand dollars per annum for the purpose of establishing said station, and three thousand dollars per annum hereafter for conducting said experiments, as provided in this act and for no other purpose.

"SEC. 4. Emergency.] An emergency exists in that the necessary arrangements for the location of said experiment station should be made before the completion of the irrigation ditches now being constructed by the United States government in said district, therefore this act shall take effect and be in force from and after its passage and approval."

That the title of said bill shall be amended to read as follows: "An act entitled: An Act Creating and Establishing an Irrigation and Dry Farming Experiment Station At or Near Williston in Williams County, Providing for Its Management, and Making an Appropriation Therefor."

And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

The committee on agriculture made the following report:
Mr. Speaker:

Your committee on agriculture to whom was referred
Senate Bill No. 274,

A bill for an act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the state are placed on exhibition, to file with the commissioner of agriculture and labor a list of the dates claimed by said association for the purpose of conducting the same.

Have had the same under consideration and recommend that the same do pass.

A. R. SWENDSEID,
Chairman.

Mr. Swendseid moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

Also,

Senate Bill No. 165,

A bill for an act to amend section 1934 of the Revised Code of 1905, relating to county commissioners vote on abolishing provisions of article 9, Revised Code of 1905, entitled Herd Law. How conducted) and repealing sections 1935, 1936 and 1937 Revised Code of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. R. SWENDSEID,
Chairman.

Mr. Swendseid moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on taxation and tax laws made the following report:

Mr. Speaker:

Your committee on taxation and tax laws to whom was referred

Senate Bill No. 317,

A bill for an act entitled an act to amend and re-enact section 474 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 14 of printed bill strike out the word "two" and insert in lieu thereof the word "one."

And when so amended recommend the same do pass

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Also,

House Bill No. 233,

A bill for an act entitled, An act making the use of any store, house, shop or other building or any basement or

room therein or any lot, block or other parcel of land situate within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

Also,
Senate Bill No. 210.

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

Also,
Senate Bill No. 223,

A bill for an act to amend section 2979 of the Revised Codes of 1905, authorizing certain cities to issue bonds for the construction of waterworks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on railroads made the following report:
Mr. Speaker:

Your committee on railroads to whom was referred
Senate Bill No. 40,

A bill for an act to promote the safety of employees and travelers upon railways by limiting the hours of service of employees thereon, and making the violation thereof a misdemeanor, providing a punishment therefor, requiring railroad commissioners to investigate the same and notify the attorney general thereof whose duty it shall be to prosecute the same.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

Also,
House Bill No. 212,

A bill for an act to amend section 4337 of the Revised Codes of North Dakota, relating to distribution of cars.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "much," in line 10 of the printed bill, add the following: "And the figures on said blackboard shall be changed at intervals of one hour to correspond with the facts until the arrival of such delayed train."

And when so amended recommend the same do pass.

G. A. WHITE,
Chairman.

Also,

Senate Bill No. 273,

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for 1905, relating to the construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Mr. Ueland moved

That House Bill No. 18 be withdrawn from the committee of the whole.

Which motion prevailed.

Mr. Tufte moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Shannafelt, Shirley and Syvertson, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1907.

Mr Speaker:

I have the honor to transmit herewith

Senate Bill No. 302,

A Concurrent Resolution for an amendment to the constitution, relating to the sale of school lands.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 66,

A bill for an act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and providing for the care, treatment, parole and release of such persons, and prescribing the duties of officials in connection therewith.

Also,

Senate Bill No. 259,

A bill for an act to amend and re-enact sections 4639-4658 and 4662 of chapter 21, of the Revised Codes of 1905, relating to banking corporations.

Also,

Senate Bill No. 282,

A bill for an act to establish regular sessions for state board of railway commissioners and fixing the time, manner, and place, where such sessions shall be held, and otherwise defining their powers, and duties; also defining the duties of the attorney general in relation thereto.

Also,

Senate Bill No. 131,

A bill for an act to amend section 1597 of the Revised Code of 1905 of the state of North Dakota, relative to duty of county auditor.

Also,

Senate Bill No. 287,

A bill for an act to amend section 183 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-ninth day, have carefully examined the same and recommend the same be corrected as follows:

Page 1, line 13, after name "Shirley" insert name "Aaker."

Page 4, line 22, after word "to" insert word "whom."

Page 13, strike out lines 26 to 32 inclusive.

Page 32, line 12 from foot of page, after name "Shirley" insert name "Aaker."

Page 34, first line, after name "Shirley" insert name "Aaker."

Page 35, line 11, strike out words "for the" where they first appear.

Page 40, line 9, after word "an" insert word "act."

Page 41, strike out first three lines.

Page 42, strike out line 1 and on line 2 change word "provided" to "providing."

Page 43, after line 2 insert "was read the first and second time and."

Page 51, line 5, change name "Lafue" to "Stafne."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the forty-ninth day after recess, have carefully examined the same and recommend that the same be corrected as follows:

Page 4, line 9, after word "being" insert the word "on."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Also,

Mr. Speaker:

Your committee on revision and correction of the journal of the fiftieth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 16, line 6, change "house" to "senate;" also on same page strike out lines 27 and 28.

Page 19, line 6, change word "an" to word "to."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Putnam offered the following petition:

DEAR SIR: A copy of House Bill 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000.00 whether they pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

ERWIN FORBES,
And 10 Others.

Mr. Moore presented the following petition:

DEAR SIR: A copy of House Bill 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000.00 whether they pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

J. M. TUSTEN,

And 25 Others.

Mr. Hallick presented the following petition:

DEAR SIR: A copy of House Bill 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$3,000.00 whether they pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we, your constituents will ever pray.

SYVERT HAUGEN,

And Seven Others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Also,

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Also,

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

House Bill No. 208,

A bill for an act entitled an act to amend section 1933 of the revised codes of 1905, relating to when stock may run at large.

Also,

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Also,

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 298,

A bill for an act authorizing the refunding of outstanding village bonds and warrants.

Have had the same under consideration and recommend that the same be indefinitely postponed.

K. O. BROTN OV,

Chairman.

Mr. Brotnov moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "or" between the words "debt" and "liability," in line 6, and insert after the word "liability" in same line the following words: "Or issue bonds to fund any existing indebtedness."

Strike out the word "or" between the words "debt" and "loan" in line 9, and after the word "loan" in same line insert the words "or bonds."

Strike out all after the word "thereof" in line 15, section 1, and the words "sec. 2" in the emergency clause.

And when so amended recommend the same do pass.

K. O. BROTN OV,

Chairman.

The committee on judiciary made the following report:
Mr Speaker:

Your committee on judiciary to whom was referred
House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which the change of venue is obtained.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following majority report:

Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 37,

A bill for an act amending sections one (1), two (2), and three (3), of chapter 24 of the Special Laws passed at the Sixteenth session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall assume and pay such proportion thereof, together with the interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment

in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing the method of compelling action under this act by an action or proceeding in court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Speaker:

The minority of the house judiciary committee to whom was referred

Senate Bill No. 37,

A bill for an act amending sections one (1), two (2), and three (3), of chapter 24 of the Special Laws passed at the Sixteenth session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall assume and pay such proportion thereof, together with the interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing

the method of compelling action under this act by an action or proceeding in court.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

The committee on insurance made the following report:
Mr. Speaker:

Your committee on insurance to whom was referred

Senate Bill No. 176,

A bill for an act to prohibit misrepresentations by life insurance companies.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 183,

A bill for an act to amend section 6 of chapter 141 of the Laws of 1905, being section 2218 of the Revised Codes of 1905, in relation to the inspection of oil.

Have had the same under consideration and recommend that the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 174,

A bill for an act to prohibit the issuance of non-participating policies by certain life insurance companies.

Have had the same under consideration and recommend the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 42,

A bill for an act to regulate the consolidation and reinsurance of domestic insurance companies transacting business of life, accident or health insurance.

Have had the same under consideration and recommend the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Have had the same under consideration and recommend the same do pass.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on drainage made the following report:
Mr. Speaker:

Your committee on drainage to whom was referred
Senate Bill No. 205,

A bill for an act entitled an act to amend sections 1819, 1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the Revised Codes of 1905, the same being embraced in chapter 23 of the Political Code relating to drainage.

Have had the same under consideration and recommend that the same be amended as follows:

On page 5, line 96, of the printed bill, strike out the letter "g" and insert in lieu thereof the letter "d."

On page 6, line 107, strike out the word "of" and insert in lieu thereof the word "by."

In section 1831, line 156, of the printed bill, after the word "to" insert the word "be."

In section 1849, line 254, of the printed bill, strike out the word "opened" and insert in lieu thereof the word "bonded."

And when so amended recommend the same do pass.

T. O. BURGUM,
Chairman.

Mr. Burgum moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 9,

A bill for an act to amend section 1319 of the Political Code of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 253,

A bill for an act providing for the appointment of a state legislative reference statistician, prescribing his duties, fixing his compensation, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 260,

A bill for an act making an appropriation to defray the

expense of prospecting the lands granted the state under the enabling act so as to reserve the lands bearing coal from sale, and providing for the employment of a mining engineer and other help.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 270,

A bill for an act to secure district libraries and appropriate money therefor.

Have had the same under consideration and recommend that the same be referred to the judiciary committee.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 239,

A bill for an act appropriating \$2500 to the department of state for indexing and classifying valuable documents and records.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 67,

A bill for an act appropriating money for paying the indebtedness on superintendent's residence and for building

a machine shed and seed house and for other improvements at Edgeley sub-experiment station.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 133,

A bill making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for equipment and furniture, for library, book cases and library furniture, and maintenance of school for two years beginning January 1, 1907, for the North Dakota Academy of Science,

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 89,

A bill for an act making appropriation for improvements and furnishings for the state normal school at Mayville, and for the construction of a woman's dormitory for said school.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 74,

A bill for an act to aid and encourage education in small rural schools and appropriating money therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 82,

A bill for an act to encourage elementary education and appropriate money therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

That section 2 be stricken out and the following substituted:

"SEC. 2. For the purpose of promoting, improving and increasing the poultry industry, an annual exhibition shall be held subject to the conditions hereinafter named.

"SEC. 3. Conditions To Be Complied With.] That the present North Dakota Poultry association, organized under the general laws of this state in relation to corporations, is hereby created as the North Dakota State

Poultry association; provided, however, that the state shall never become liable for any of the debts or liabilities of said association. The association shall adopt and file with the secretary of state an irrevocable by-law consenting, and providing that its board of directors shall consist of ten persons; that the commissioner of agriculture and labor shall, ex officio, constitute one member of said board of directors.

"Sec. 4. Appointment and Duties of Executive Committee.] The board of directors of such institution shall appoint an executive committee which shall keep an accurate account of the expenditures of all moneys appropriated to it by the state and all other receipts and expenditures and shall collect all information in their power in relation to the poultry industry in the state, and report the same, together with a statement of their doings, to the governor on or prior to the first day of January each year following the holding of the annual exhibition, and by the governor laid before the legislative assembly. All moneys hereby appropriated shall be paid over to the treasurer of the association on the order of the president, attested by the secretary."

And that the title be amended to read as follows:

"An Act to Provide an Appropriation for the Payment of Premiums and Awards by the North Dakota State Poultry Association, and to Provide for the Establishment of a State Poultry Association."

And when so amended recommend the same do pass.

AMASA P. PEAKE,
Chairman.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred
House Bill No. 234,

A bill for an act to amend section 9358 of the Revised Codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said Codes.

Have had the same under consideration and recommend the same do pass.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Casey offered the following concurrent resolution and moved its adoption:

WHEREAS, The present laws upon the question of taxation appear to be inadequate; and

WHEREAS, The revenues of the state are not sufficient to meet the increased demands made upon the treasury; and

WHEREAS, There has not been time enough at this session to prepare a comprehensive tax law; therefore, be it

Resolved by the House of Representatives, the Senate Concurring, That the governor, state auditor and attorney general are hereby constituted a

commission for the purpose of preparing a thoroughly comprehensive and adequate revenue and taxation law and report the same to the next legislative session.

Which motion prevailed, and
The resolution was adopted.

Mr. Stevens offered the following resolution and moved its adoption:

Resolved, That on March 2nd all bills in the hands of committees and not reported be returned to the chief clerk; that the chairman at that time appoint a steering committee of nine members to whom all bills shall be referred, including those to return to the chief clerk.

Mr. Haugen moved as a substitute the following:

Resolved, That the speaker shall appoint a steering committee, consisting of eleven members, to whom all bills in the chief clerk's hands reported back by any committee shall be referred from and after Saturday, March 2nd.

Which motion prevailed, and
The substitute resolution was adopted.

Mr. Ueland moved

That House Bill No. 18 be made a special order for tomorrow at 2:30 p. m.

Which motion prevailed.

Mr. Peake moved

That the rules be suspended and that the following senate bills be placed on their third reading and final passage at 2:45 today:

Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Also,

Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement and inspection and by making an appropriation therefor.

Also,

Senate Bill No. 91,

A bill for an act making an appropriation for completing the present building and for furniture, fixtures and improvements for the state normal school at Mayville and for the erection of a woman's dormitory for said school.

Also,

Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing for its maintenance.

Also,

Senate Bill No. 301,

A bill for a joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices and authorizing an appropriation for the payment thereof.

Also,

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Also,

Senate Bill No. 185,

A bill for an act appropriating money to provide for the equipment and maintenance of a public laboratory in the medical department of the state university and school of mines at Grand Forks.

Also,

Senate Bill No. 268,

A bill for an act making an appropriation to pay for certain books for the state law library.

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Also,

Senate Bill No. 118,

A bill for an act making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for furniture and equipment and for library, bookcases and library furniture.

Also,

Senate Bill No. 14,

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

Also,

Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Also,

Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Also,

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Also,

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same, and making an appropriation therefor.

Also,

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Also,

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Also,

Senate Bill No. 186,

A bill for an act making an appropriation for expenses

incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Also,

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Also,

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Also,

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Also,

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Also,

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

Also,

Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.

Also,

Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Also,

Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Also,

Senate Bill No. 139,

A bill for an act to provide for making necessary improvements at the Industrial School and School for Manual Training, located at Ellendale, providing for the payment of interest on certificates of indebtedness and making an appropriation therefor.

Also,

Senate Bill No. 275,

A bill for an act making an appropriation for the state historical society of North Dakota.

Also,

Senate Bill No. 108,

A bill for an act to provide an appropriation for the cur-

rent and contingent expenses and for permanent improvements of the institution for the feeble minded at Grafton.

Also,

Senate Bill No. 133.

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Also,

Senate Bill No. 88,

A bill for an act to provide a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Also,

Senate Bill No. 105,

A bill for an act making an appropriation for the erection of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Also,

Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota, and for the creating of a board of armory supervisors and defining its duties, for the transfer of armories upon the mustering out of any military organization enumerated, and defining the duties of the state treasurer in carrying out the provisions of this act.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 27, 1907.

Mr Speaker:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION.

WHEREAS, The mining industry is annually adding nearly two billions of dollars to the wealth of the United States, and is furnishing employment to more than half a million men directly engaged in the mining industry, as well as furnishing the material absolutely necessary to the employment of a still larger additional number of men; and

WHEREAS, The loss of life (being 3.53 per 1,000 in coal mining operations in the United States as against 1.35 per 1,000 in England) through a lack of proper precautions in mining operations, over which but little, if any, supervision is exercised, is a disgrace to the government, from which the man is supposed to have greater consideration than the dollar; and

WHEREAS, The product of the mines, when exhausted, cannot be replaced; and

WHEREAS, The enormous waste of metal resources, through the application of unscientific methods of mining and treatment, and the enormously extravagant waste of fuel, through both carelessness and unscientific methods, is a menace to our future industrial growth; and

WHEREAS, The United States is the only English speaking nation in which this important industry receives relatively such small consideration; therefore, be it

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, That we urge upon the congress of the United States the importance of the creation of a department of mines, with its head a member of the president's cabinet, through which human life may receive protection, and the mining resources may be conserved, and production increased through government control and the application of scientific methods; and be it further

Resolved, That a copy of these resolutions be forwarded to the senate and the house of representatives of the United States, and to each of our representatives in the United States congress, and that the governor of this state be instructed to communicate with the president of the United States, requesting his co-operation in bringing about the creation of a department of mining, through which the mining industry may receive that governmental recognition and assistance to which it is entitled as one of the two great productive industries of this country.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 61, nays 29, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Adams
Andrus
Blake
Brodie
Burgum
Buttz
Collins

Messrs.—

Graham
Grant
Halaas
Hanawalt
Hankinson
Hanson
Hosford

Messrs.—

Parkhill
Peake
Piper
Purdon
Restemayer
Rohs of Morton
Rose of Dickey

Messrs.—	Messrs.—	Messrs.—
Connolly	Johnson of Pembina	Simpson
Crawford	Johnson of Sargent	Sinclair
Cunningham	Jones of Barnes	Sorlie of Traill
Dibley	Jones of Ransom	Steen
Duncan	Law	Stevens
Elhard	Martin of Morton	Streeter
Evans	Martin of Billings	Thoreson
Flamer	McDowall	Treat
Freeman	Mockler	Ueland
Ganssle	Moore	Wake
Garden	Morin	Welford
Gibbens	Murphy	White
Giedt	Nelson of Traill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Haugen	Sorley of Grand Forks
Blegen	Hemmingsen	Stavens
Brotnov	Jensen	Swendseid
Burdick	Mathews	Tofsrud
Carter	Miller	Tufte
Casey	Monek	Walker
Church	Nelson of Steele	Wedge
Dean	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Pugh	Shirley
Chapman	Schlenker	Storey
Johnson of Ward	Shannafelt	Syverson
Midgarden		

Mr. O. P. N. Anderson passed.

Messrs. Shannafelt, Shirley and Syverson being excused.

Messrs. Midgarden and Pugh were excused.

Mr. Casey explained his vote.

Mr. Peake moved that the vote by which Senate Bill No. 86 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Streeter to the chair.

Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Adams	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Pugh
Andrus	Hallick	Purdon
Blake	Hanawalt	Putnam
Blegen	Hankinson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Simpson
Burgum	Jensen	Sinclair
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Dibley	Mockler	Tufte
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Murphy	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Martin of Morton	Shannafelt	Syvertson
McDowall	Shirley	Mr. Speaker
Schlenker	Storey	

Mr. Hanson voted in the negative.

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 132 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement and inspection and by making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 0, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Ganssle	Nelson of Steele
Adams	Garden	Nelson of Traill
Anderson, Grand F'rks	Gibbens	Peake
Anderson, Bernt	Giedt	Plath
Anderson, O. P. N.	Graham	Pugh
Andrus	Grant	Purdon
Blake	Griffith	Putnam
Blegen	Halaas	Restemayer
Brodie	Hallick	Rohs of Morton
Brotnov	Hanawalt	Rose of Dickey
Burdick	Hankinson	Simpson
Buttz	Hanson	Sorley of Grand Forks
Carter	Haugen	Sorlie of Traill
Casey	Hemmingsen	Stavens
Chapman	Hosford	Steen
Church	Jensen	Stevens
Collins	Johnson of Pembina	Storey
Connolly	Johnson of Sargent	Streeter
Crawford	Law	Thoreson
Cunningham	Martin of Billings	Tofsrud
Dean	Mathews	Tufte
Dibley	Midgarden	Ueland
Duncan	Monek	Wake
Elhard	Moore	Wedge
Evans	Morin	Welford
Flamer	Murphy	Mr. Speaker
Freeman		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Mockler	Shirley
Johnson of Ward	Oveson	Swendseid
Jones of Barnes	Parkhill	Syverson
Jones of Ransom	Piper	Treat
Martin of Morton	Schlenker	Walker
McDowall	Shannafelt	Watts
Miller	Sinclair	White

Messrs. Shannafelt, Shirley and Syverson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 285 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 91,

A bill for an act making an appropriation for completing the present building and for furniture, fixtures and im-

provements for the state normal school at Mayville and for the erection of a woman's dormitory for said school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 0, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brotnov	Hanson	Rose of Dickey
Burdick	Haugen	Simpson
Buttz	Hemmingsen	Sinclair
Carter	Hosford	Sorley of Grand Forks
Casey	Jensen	Stavens
Church	Johnson of Pembina	Steen
Collins	Johnson of Sargent	Stevens
Connolly	Johnson of Ward	Storey
Crawford	Jones of Barnes	Streeter
Cunningham	Jones of Ransom	Swendseid
Dean	Law	Thoreson
Dibley	McDowall	Tofsrud
Duncan	Midgarden	Treat
Elhard	Monek	Tufte
Flamer	Morin	Ueland
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Graham	Oveson	Welford
Grant	Plath	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Martin of Morton	Piper
Anderson, O. P. N.	Martin of Billings	Schlenker
Andrus	Mathews	Shannafelt
Brodie	Miller	Sorlie of Traill
Burgum	Mockler	Shirley
Chapman	Moore	Syvertson
Evans	Parkhill	Wake
Freeman	Peake	Mr. Speaker
Giedt		

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 91 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing an appropriation for its maintenance.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 79, nays 0, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Nelson of Trail
Adams	Griffith	Oveson
Anderson, Grand F'rks	Halaas	Peake
Andrus	Hallick	Plath
Blegen	Hanawalt	Pugh
Brodie	Hanson	Purdon
Brotnov	Haugen	Restemayer
Burdick	Hemmingsen	Rohs of Morton
Burgum	Hosford	Rose of Dickey
Buttz	Jensen	Simpson
Carter	Johnson of Pembina	Sinclair
Casey	Johnson of Sargent	Sorley of Grand Forks
Church	Johnson of Ward	Sorlie of Traill
Collins	Jones of Barnes	Stevens
Connolly	Jones of Ransom	Storey
Cunningham	Law	Streeter
Crawford	Martin of Billings	Swendseid
Dean	Mathews	Thoreson
Dibley	McDowall	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Monek	Wake
Ganssle	Morin	Watts
Garden	Murphy	Welford
Gibbens	Nelson of Steele	White
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Martin of Morton	Shirley
Anderson, O. P. N.	Moore	Stavens
Blake	Parkhill	Steen
Chapman	Piper	Svvertson
Freeman	Putnam	Walker
Giedt	Schlenker	Wedge
Hankinson	Shannafelt	Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 207 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 301,

A bill for a joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices and authorizing an appropriation for the payment thereof.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 74, nays 1, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Oveson
Anderson, Grand F'rks	Griffith	Parkhill
Anderson, Bernt	Halaas	Peake
Anderson, O. P. N.	Hallick	Plath
Andrus	Hanawalt	Purdon
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Sorlie of Traill
Chapman	Johnson of Sargent	Steen
Crawford	Johnson of Ward	Stevens
Cunningham	Jones of Barnes	Storey
Dean	Jones of Ransom	Streeter
Duncan	Law	Swendseid
Elhard	Martin of Billings	Thoreson
Evans	Mathews	Ueland
Flamer	Midgarden	Wake
Ganssle	Mockler	Walker
Garden	Monek	Watts
Gibbens	Morin	Welford
Giedt	Murphy	White
Graham	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Miller	Shirley
Casey	Moore	Stavens
Church	Nelson of Steele	Syvertson
Collins	Piper	Tofsrud
Connolly	Pugh	Treat
Dibley	Putnam	Tufte
Freeman	Schlenker	Wedge
Martin of Morton	Shannafelt	Mr. Speaker
McDowall		

Mr. Aaker voted in the negative.

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 301 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 76, nays 0, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Peake
Adams	Griffith	Piper
Anderßon, Grand F'rks	Halaas	Plath
Anderson, Bernt	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson.	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burgum	Hosford	Sinclair
Carter	Jensen	Sorley of Grand Forks
Casey	Johnson of Pembina	Sorlie of Traill
Chapman	Johnson of Sargent	Stavens
Church	Jones of Barnes	Steen
Collins	Jones of Ransom	Stevens
Connolly	Law	Storey
Cunningham	Martin of Billings	Streeter
Dean	Mathews	Swendseid
Duncan	Midgarden	Thoreson
Elhard	Monek	Tufte
Flamer	Moore	Ueland
Ganssle	Morin	Wake
Garden	Murphy	Watts
Gibbens	Nelson of Steele	Welford
Giedt	Nelson of Traill	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Martin of Morton	Shannafelt
Burdick	McDowall	Shirley
Buttz	Miller	Syvertson
Crawford	Mockler	Tofsrud
Dibley	Oveson	Treat
Evans	Parkhill	Walker
Freeman	Pugh	Wedge
Johnson of Ward	Schlenker	White

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 244 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 185,

A bill for an act appropriating money to provide for the equipment and maintenance of a public laboratory in the medical department of the state university and school of mines at Grand Forks.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 0, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Nelson of Steele
Anderson, Grand F'rks	Graham	Nelson of Traill
Anderson, Pernt	Grant	Oveson
Anderson, O. P. N.	Griffith	Piper
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brodie	Hankinson	Restemayer
Brotnov	Hanson	Rohs of Morton
Burdick	Haugen	Rose of Dickey
Burgum	Hemmingsen	Simpson
Carter	Hosford	Sinclair
Casey	Jensen	Sorley of Grand Forks
Chapman	Johnson of Pembina	Stevens
Church	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Streeter
Crawford	Jones of Barnes	Swendseid
Cunningham	Law	Thoreson
Dean	Martin of Billings	Treat
Duncan	Mathews	Tufte
Elhard	Midgarden	Ueland
Evans	Mockler	Wake
Flamer	Monek	Walker
Ganssle	Moore	Watts
Garden	Morin	Welford
Gibbens	Murphy	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Miller	Sorlie of Trail
Buttz	Parkhill	Stavens
Collins	Peake	Steen
Dibley	Plath	Syvertson
Freeman	Schlenker	Tofsrud
Jones of Ransom	Shannafelt	Wedge
Martin of Morton	Shirley	Mr. Speaker
McDowall		

Messrs. Shannafelt and Shirley being excused.

Mr. Peake moved

That the vote by which Senate Bill No. 185 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 268,

A bill for an act making an appropriation to pay for certain books for the state law library.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 0, absen and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hanson	Restemayer
Anderson, Bernt	Haugen	Rohs of Morton
Anderson, O. P. N.	Hemmingsen	Rose of Dickey
Andrus	Hosford	Simpson
Blake	Jensen	Sinclair
Blegen	Johnson of Pembina	Sorley of Grand Forks
Burdick	Johnson of Sargent	Sorlie of Traill
Burgum	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Law	Stevens
Church	Martin of Billings	Storey
Collins	Mathews	Streeter
Connolly	Miller	Swendseid
Dean	Mockler	Thoreson
Duncan	Monek	Tofsrud
Elhard	Moore	Treat
Evans	Morin	Tufte
Garden	Murphy	Ueland
Gibbens	Nelson of Steele	Wake
Giedt	Nelson of Traill	Walker
Graham	Oveson	Watts
Grant	Peake	Wedge
Griffith	Piper	Welford
Halaas	Pugh	White
Hanawalt	Purdon	Mr. Speaker
Hankinson	Putnam	

• Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Dibley	Midgarden
Adams	Flamer	Parkhill
Brodie	Freeman	Plath
Brotnov	Ganssle	Schlenker
Buttz	Hallick	Shannafelt
Carter	Jones of Ransom	Shirley
Crawford	Martin of Morton	Syvertson
Cunningham	McDowall	

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 268 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 0, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Ganssle
Garden
Gibbens

Messrs.—

Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Ward
Law
Martin of Billings
Mathews
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Peake
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Anderson, Bernt
Dibley
Flamer
Freeman
Hanson
Johnson of Sargent
Jones of Barnes

Messrs.—

Jones of Ransom
Martin of Morton
McDowall
Midgarden
Piper
Plath

Messrs.—

Schlenker
Shannafelt
Shirley
Stavens
Syvertson
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 116 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 118,

A bill for an act making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for furniture and equipment and for library, bookcases and library furniture.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 0, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Pernt	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Casey	Jensen	Sorley of Grand Forks
Chapman	Johnson of Pembina	Sorlie of Trail
Church	Johnson of Ward	Steen
Collins	Jones of Barnes	Stevens
Connolly	Jones of Ransom	Storey
Crawford	Law	Streeter
Cunningham	Martin of Billings	Swendseid
Dean	McDowall	Thoreson
Dibley	Miller	Tufte
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Ganssle	Murphy	Watts
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Welford
Giedt	Oveson	White
Graham	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Sargent	Shannafelt
Anderson, O. P. N.	Martin of Morton	Shirley
Burgum	Mathews	Stavens
Buttz	Midgarden	Syverson
Carter	Mockler	Tofsrud
Flamer	Piper	Treat
Freeman	Plath	Mr. Speaker
Hanson	Schlenker	

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 118 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 14.

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 0, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Garden	Murphy
Adams	Gibbens	Nelson of Steele
Anderson, Grand F'rks	Giedt	Nelson of Traill
Anderson, O. P. N.	Graham	Oveson
Andrus	Grant	Peake
Blake	Griffith	Pugh
Blegen	Halaas	Putnam
Brodie	Hanawalt	Rohs of Morton
Brotnov	Hankinson	Rose of Dickey
Burgum	Hanson	Simpson
Buttz	Haugen	Sinclair
Carter	Hemmingsen	Sorley of Grand Forks
Casey	Hosford	Sorlie of Traill
Chapman	Jensen	Steen
Church	Johnson of Pembina	Stevens
Collins	Johnson of Sargent	Streeter
Connolly	Johnson of Ward	Swendseid
Cunningham	Jones of Barnes	Thoreson
Dean	Jones of Ransom	Tofsrud
Dibley	Law	Treat
Duncan	Martin of Billings	Tufte
Elhard	Mathews	Ueland
Evans	Miller	Wake
Flamer	Mockler	Wedge
Freeman	Monek	Welford
Ganssle	Moore	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Parkhill	Shirley
Burdick	Piper	Stavens
Crawford	Plath	Storey
Hallick	Purdon	Syvertson
Martin of Morton	Restemayer	Walker
McDowall	Schlenker	Watts
Midgarden	Shannafelt	Mr. Speaker
Morin		

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 14 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 27, 1907.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 138,

A bill for an act to amend and re-enact section 2613 of the Revised Codes of 1905.

Also,

Senate Bill No. 161,

A bill for an act to mend section 1484 of the Political Code Revised Codes of North Dakota 1905.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 61, nays 5, absent and not voting 34.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Murphy
Anderson, Grand F'rks	Graham	Nelson of Traill
Anderson, Bernt	Grant	Peake
Anderson, O. P. N.	Griffith	Pugh
Andrus	Halaas	Purdon
Blake	Hallick	Putnam
Brodie	Hanawalt	Rohs of Morton
Brotnov	Hankinson	Rose of Dickey
Burgum	Hemmingsen	Simpson
Buttz	Jensen	Sorlie of Traill
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens

Messrs.—

Chapman
Church
Cunningham
Dean
Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—

Jones of Barnes
Jones of Ransom
Martin of Billings
Midgarden
Miller
Mockler
Monek
Morin

Messrs.—

Streeter
Swendseid
Treat
Ueland
Wake
Wedge
Welford
White

Those who voted in the negative were:

Messrs.—

Aaker
Duncan

Messrs.—

Haugen
Nelson of Steele

Messrs.—

Sorley of Grand Forks

Absent and not voting:

Messrs.—

Blegen
Burdick
Collins
Connolly
Crawford
Dibley
Garden
Gibbens
Hanson
Hosford
Johnson of Pembina
Law

Messrs.—

Martin of Morton
Mathews
McDowall
Moore
Oveson
Parkhill
Piper
Plath
Restemayer
Schlenker
Shannafelt

Messrs.—

Sinclair
Shirley
Stavens
Storey
Syvertson
Thoreson
Tofsrud
Tufte
Walker
Watts
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.

Mr. Peake moved

That the vote by which Senate Bill No. 270 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 0, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Bernt
Anderson, Grand F'rks

Messrs.—

Graham
Grant
Griffith
Halaas

Messrs.—

Parkhill
Peake
Plath
Pugh

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Hankinson	Purdon
Blegen	Hanson	Putnam
Brodie	Haugen	Restemayer
Brotnov	Hemmingsen	Rohs of Morton
Burgum	Hosford	Rose of Dickey
Buttz	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Steen
Casey	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Connolly	Mathews	Swendseid
Cunningham	Midgarden	Thoreson
Duncan	Miller	Treat
Elhard	Mockler	Tufte
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Watts
Ganssle	Murphy	Wedge
Gibbens	Nelson of Trail	Welford
Giedt	Oveson	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson of Sargent	Shirley
Blake	Johnson of Ward	Simpson
Burdick	Martin of Morton	Sinclair
Collins	Martin of Billings	Sorlie of Trail
Crawford	McDowall	Stavens
Dean	Nelson of Steele	Syverson
Dibley	Piper	Tofsrud
Garden	Schlenker	Walker
Hallick	Shannafelt	Mr. Speaker
Hanawalt		

Messrs. Shannafelt, Shirley and Syverson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 153 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
February 27, 1907.

Mr. Speaker:

Senate Bill No. 248,

A bill for an act to amend section 6146 of the Revised

Codes of 1905 of the state of North Dakota, relating to extinction of liens.

Also,

Senate Bill No. 278,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Which motion prevailed.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 0, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Freeman

Messrs.—

Ganssle
Graham
Grant
Griffith
Halaas
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Jensen
Johnson of Pembina
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Trail
Peake

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Sinclair
Sorley of Grand Forks
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford

Absent and not voting:

Messrs.—

Blake
Collins
Crawford
Dibley
Garden
Gibbens
Giedt
Hallick
Hosford
Johnson of Sargent

Messrs.—

Schlenker
Johnson of Ward
Martin of Morton
McDowall
Monek
Murphy
Nelson of Steele
Oveson
Parkhill

Messrs.—

Shannafelt
Simpson
Sorlie of Traill
Shirley
Stavens
Syvertson
Tofsrud
White
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 246 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing—
Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 0, absent and not voting 28.

Those who voted in the affirmative were:

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Carter
Casey
Chapman
Church
Dean
Dibley
Duncan
Evans
Flamer
Freeman
Gibbens
Graham

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Sargent
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
Midgarden
Miller
Monek
Morin
Nelson of Steele
Nelson of Traill
Peake
Plath

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Buttz
Collins
Connolly
Crawford
Cunningham
Elhard
Ganssle
Garden
Giedt
Hanson

Messrs.—

Parkhill
Johnson of Pembina
Johnson of Ward
Martin of Morton
McDowall
Mockler
Moore
Murphy
Oveson

Messrs.—

Piper
Schlenker
Shannafelt
Shirley
Stavens
Steen
Syvertson
Tofsrud
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 195 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 0, absent and not voting 23.

Those who voted in the affirmative were:

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Carter
Chapman
Church
Connolly
Crawford
Cunningham
Dibley
Duncan
Elhard

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Midgarden

Messrs.—

Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland

Messrs.—

Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Miller
Mockler
Monek
Morin
Nelson of Traill
Plath
Pugh

Messrs.—

Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Anderson, Bernt
Brodie
Buttz
Casey
Collins
Dean
Johnson of Pembina
Martin of Morton

Messrs.—

Mathews
McDowall
Moore
Murphy
Nelson of Steele
Oveson
Parkhill
Peake

Messrs.—

Piper
Schlenker
Shannafelt
Shirley
Stavens
Syvertson
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 62 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 56, nays 0, absent and not voting 44.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blegen
Brotnov
Burdick
Burgum
Carter
Chapman
Church
Connolly
Crawford
Cunningham

Messrs.—

Graham
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Midgarden
Morin
Peake

Messrs.—

Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Tufte
Ueland

Messrs.—

Dean
Elhard
Flamer
Freeman
Ganssle
Garden

Messrs.—

Plath
Pugh
Purdon
Putnam
Rohs of Morton
Rose of Dickey

Messrs.—

Wake
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Aaker
Anderson, Bernt
Andrus
Blake
Brodie
Buttz
Casey
Collins
Dibley
Duncan
Evans
Gibbens
Giedt
Grant
Griffith

Messrs.—

Halaas
Hallick
Hanawalt
Jensen
Johnson of Pembina
Johnson of Sargent
Martin of Morton
Martin of Billings
Mathews
McDowall
Miller
Mockler
Monek
Moore
Murphy

Messrs.—

Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Piper
Restemayer
Schlenker
Shannafelt
Shirley
Stavens
Syvertson
Tofsrud
Walker
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 245 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 67, nays 0, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Andrus
Blake
Blegen
Brotnov
Burdick

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Sinclair
Sorley of Grand Forks

Messrs.—

Burgum
Carter
Church
Connolly
Cunningham
Dean
Duncan
Elhard
Flamer
Freeman
Ganssle
Garden
Giedt
Graham
Grant

Messrs.—

Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Midgarden
Monek
Moore
Morin
Nelson of Traill
Feake
Plath

Messrs.—

Sorlie of Traill
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Tufte
Ueland
Wake
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Anderson, Bernt
Anderson, O. P. N.
Brodie
Buttz
Casey
Chapman
Collins
Crawford
Dibley
Evans
Gibbens

Messrs.—

Griffith
Martin of Morton
Martin of Billings
Mathews
McDowall
Miller
Mockler
Murphy
Nelson of Steele
Oveson
Parkhill

Messrs.—

Piper
Schlenker
Shannafelt
Simpson
Shirley
Stavens
Steen
Syvertson
Treat
Walker
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 242 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 186,

A bill for an act making an appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 0, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Adams	Grant	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Sorlie of Traill
Casey	Johnson of Sargent	Stevens
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	McDowall	Thoreson
Cunningham	Midgarden	Tofsrud
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Watts
Freeman	Nelson of Traill	Welford
Ganssle	Oveson	White
Garden		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Jones of Barnes	Shannafelt
Buttz	Martin of Morton	Shirley
Collins	Mathews	Stavens
Dean	Miller	Steen
Dibley	Murphy	Syvertson
Gibbens	Nelson of Steele	Treat
Giedt	Parkhill	Walker
Griffith	Piper	Wedge
Johnson of Ward	Schlenker	Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 186 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 0, abse and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Nelson of Traill
Adams	Graham	Oveson
Anderson, Grand F'rks	Grant	Peake
Anderson, O. P. N.	Hallick	Plath
Andrus	Hanawalt	Pugh
Blake	Hankinson	Purdon
Blegen	Hanson	Putnam
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Sorlie of Traill
Casey	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Connolly	Jones of Barnes	Streeter
Crawford	Jones of Ransom	Swendseid
Cunningham	Law	Tofsrud
Dean	Martin of Morton	Tufte
Duncan	Martin of Billings	Wake
Elhard	Midgarden	Watts
Evans	Miller	Wedge
Flamer	Mockler	Welford
Freeman	Monek	White
Ganssle	Moore	Mr. Speaker
Garden	Morin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	McDowall	Shirley
Buttz	Murphy	Stavens
Chapman	Nelson of Steele	Steen
Collins	Parkhill	Syvertson
Dibley	Piper	Thoreson
Gibbens	Restemayer	Treat
Griffith	Rohs of Morton	Ueland
Halaas	Schlenker	Walker
Mathews	Shannafelt	

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Piper moved

That the vote by which Senate Bill No. 135 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67; nays 0, absent and not voting 33.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Pugh
Anderson, O. P. N.	Hanson	Purdon
Blake	Haugen	Putnam
Blegen	Hemmingsen	Restemayer
Brodie	Hosford	Rohs of Morton
Burdick	Jensen	Rose of Dickey
Burgum	Johnson of Pembina	Simpson
Carter	Johnson of Sargent	Sorley of Grand Forks
Casey	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Connolly	Jones of Ransom	Streeter
Crawford	Law	Swendseid
Cunningham	Martin of Billings	Thoreson
Duncan	Mathews	Treat
Elhard	Mockler	Tufte
Flamer	Monek	Ueland
Freeman	Moore	Wake
Ganssle	Morin	Watts
Garden	Nelson of Traill	Wedge
Graham	Parkhill	Welford
Grant	Peake	White
Halaas		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Schlenker
Anderson, Bernt	Griffith	Shannafelt
Andrus	Hankinson	Sinclair
Brotnov	Martin of Morton	Sorlie of Trail
Buttz	McDowall	Shirley
Chapman	Midgarden	Stavens
Collins	Miller	Steen
Dean	Murphy	Syvertson
Dibley	Nelson of Steele	Tofsrud
Evans	Oveson	Walker
Gibbens	Piper	Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 64 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Was read the third time.

Mr. Sorley of Grand Forks moved

That the further consideration of the bill be referred to the committee of the whole.

Which motion prevailed.

Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 4, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam
Anderson, O. P. N.	Hankinson	Rohs of Morton
Andrus	Hanson	Rose of Dickey
Blake	Haugen	Simpson
Brodie	Hemmingsen	Sinclair
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Johnson of Pembina	Steen
Burgum	Jones of Ransom	Stevens
Buttz	Law	Storey
Carter	Martin of Morton	Streeter
Casey	Martin of Billings	Swendseid
Chapman	Mathews	Thoreson
Church	Midgarden	Tofsrud
Connolly	Miller	Treat
Crawford	Monek	Tufte
Cunningham	Moore	Ueland
Duncan	Morin	Wake
Elhard	Nelson of Traill	Walker
Evans	Oveson	Watts
Freeman	Peake	Welford
Gibbens	Plath	White
Graham	Pugh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Jensen	Nelson of Steele
Blegen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Hanawalt	Restemayer
Collins	Johnson of Sargent	Schlenker

Messrs.—

Dean
Dibley
Flamer
Ganssle
Garder
Giedt
Grant
Griffith

Messrs.—

Johnson of Ward
Jones of Barnes
McDowall
Mockler
Murphy
Parkhill
Piper

Messrs.—

Shannafelt
Sorlie of Traill
Shirley
Stavens
Syvertson
Wedge
Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 117 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 0, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer

Messrs.—

Freeman
Ganssle
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hankinson
Hanson
Haugen
Hemmingsen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Mockler

Messrs.—

Moore
Nelson of Traill
Parkhill
Peake
Plath
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Sinclair
Sorley of Grand Forks
Streeter
Thoreson
Treat
Tufte
Ueland
Wake
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Morin	Shirley
Dibley	Murphy	Stavens
Garden	Nelson of Steele	Steen
Gibbens	Oveson	Stevens
Hanawalt	Piper	Storey
Hosford	Pugh	Swendseid
Jensen	Schlenker	Syverson
McDowall	Simpson	Tofsrud
Monek	Sorlie of Traill	Walker

Messrs. Shannafelt, Shirley and Syverson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 101 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 47, nays 12, absent and not voting 41.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Putnam
Anderson, Grand F'rks	Gledt	Restemayer
Anderson, O. P. N.	Graham	Rohs of Morton
Andrus	Griffith	Rose of Dickey
Blake	Halaas	Simpson
Blegen	Hanson	Sinclair
Brodie	Hemmingsen	Stevens
Burdick	Hosford	Storey
Buttz	Johnson of Sargent	Streeter
Carter	Johnson of Ward	Swendseid
Chapman	Jones of Barnes	Wake
Cunningham	Jones of Ransom	Wedge
Duncan	Mockler	Welford
Elhard	Peake	White
Evans	Plath	Mr. Speaker
Flamer	Purdon	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burgum	Hallick	Nelson of Steele
Church	Haugen	Sorley of Grand Forks
Dean	Midgarden	Tufte
Grant	Morin	Watts

Absent and not voting:

Messrs.—

Aaker
Anderson, Bernt
Brotnov
Casey
Collins
Connolly
Crawford
Dibley
Freeman
Ganssle
Garden
Hanawalt
Hankinson
Jensen

Messrs.—

Johnson of Pembina
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Miller
Monek
Moore
Murphy
Nelson of Traill
Oveson
Parkhill
Piper

Messrs.—

Pugh
Schlenker
Shannafelt
Sorlie of Traill
Shirley
Stavens
Steen
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Walker

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill was lost.

Mr. Stevens moved

That the vote by which Senate Bill No. 69 was adopted be reconsidered

Which motion prevailed.

Mr. Stevens moved

That the roll be called on Senate Bill No. 69.

Which motion prevailed.

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

The question being on the final passage of the bill,

The roll was called and there were ayes 74, nays 13, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Connolly
Crawford
Cunningham

Messrs.—

Griffith
Halaas
Hanawalt
Hanson
Haugen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings

Messrs.—

Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Steen
Stevens
Storey
Streeter
Swendseid

Messrs.—
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Garden
 Gibbens
 Giedt
 Graham

Messrs.—
 Mathews
 McDowall
 Midgarden
 Miller
 Mockler
 Monek
 Moore
 Nelson of Trail
 Oveson
 Parkhill

Messrs.—
 Thoreson
 Tofsrud
 Treat
 Ueland
Wake
 Wedge
 Welford
 White
 Mr. Speaker

Those who voted in the negative were:

Messrs.—
 Aaker
 Anderson, Bernt
 Blegen
 Church
 Dean

Messrs.—
 Grant
 Hallick
 Hemmingsen
 Morin
 Nelson of Steele

Messrs.—
 Stavens
 Tufte
 Watts

Absent and not voting:

Messrs.—
 Brodie
 Collins
 Ganssle
 Hankinson

Messrs.—
 Murphy
 Piper
 Schlenker
 Shannafelt

Messrs.—
 Sorley of Grand Forks
 Sorlie of Traill
 Shirley
 Syvertson

Messrs. Shannafelt, Shirley and Syvertson being excused.
 So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 69 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and Senate Bill No. 39 be taken from general orders and that the amendments be adopted and the bill be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, anys 0, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Farkhill
Adams	Graham	Ieake
Anderson, Grand F'rks	Grant	Plath
Anderson, O. P. N.	Griffith	Pugh
Andrus	Halaas	Putnam
Blake	Hallick	Restemayer
Blegen	Hanawalt	Rohs of Morton
Brotnov	Hankinson	Rose of Dickey
Burdick	Hanson	Simpson
Burgum	Haugen	Sinclair
Buttz	Hemmingsen	Sorley of Grand Forks
Carter	Hosford	Steen
Casey	Johnson of Pembina	Storey
Chapman	Johnson of Sargent	Streeter
Church	Johnson of Ward	Swendseid
Connolly	Jones of Barnes	Thoreson
Crawford	Jones of Ransom	Tofsrud
Cunningham	Law	Treat
Dean	Martin of Morton	Tufte
Dibley	Mathews	Ueland
Duncan	Midgarden	Wake
Elhard	Miller	Walker
Evans	Mockler	Watts
Flamer	Monek	Wedge
Freeman	Moore	Welford
Ganssle	Morin	White
Garden	Nelson of Traill	
Gibbens	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Murphy	Sorlie of Traill
Brodie	Nelson of Steele	Shirley
Collins	Piper	Stavens
Jensen	Purdon	Stevens
Martin of Billings	Schlenker	Syvertson
McDowall	Shannafelt	Mr. Speaker

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Piper moved

That the vote by which Senate Bill No. 54 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 0, absent and not voting 28.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanson	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Burdick	Hosford	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Storey
Casey	Jones of Barnes	Streeter
Chapman	Martin of Morton	Swendseid
Church	Martin of Billings	Thoreson
Connolly	Mathews	Tofsrud
Crawford	Midgarden	Treat
Cunningham	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Flamer	Moore	Walker
Ganssle	Morin	Watts
Garden	Nelson of Traill	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hankinson	Shannafelt
Brodie	Jensen	Sorley of Grand Forks
Brotnov	Jones of Ransom	Sorlie of Traill
Collins	Law	Shirley
Dean	McDowall	Stavens
Dibley	Murphy	Stevens
Evans	Nelson of Steele	Syvertson
Freeman	Oveson	Wedge
Halaas	Piper	
Hanawalt	Schlenker	

Messrs. Shannafelt, Shirley and Syvertson being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 17 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining

information under the laws mentioned and for the dissemination of information.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 78, nays 0, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Morin
Adams	Graham	Nelson of Steele
Anderson, Grand F'rks	Grant	Oveson
Anderson, Bernt	Griffith	Parkhill
Anderson, O. P. N.	Halaas	Peake
Blake	Hallick	Plath
Blegen	Hanawalt	Pugh
Brotnov	Hankinson	Purdon
Burdick	Hanson	Putnam
Burgum	Haugen	Restemayer
Buttz	Hemmingsen	Rohs of Morton
Casey	Hosford	Rose of Dickey
Carter	Jensen	Simpson
Chapman	Johnson of Pembina	Sinclair
Church	Johnson of Sargent	Stavens
Connolly	Johnson of Ward	Storey
Crawford	Jones of Barnes	Streeter
Cunningham	Jones of Ransom	Swendseid
Dean	Law	Thoreson
Dibley	Martin of Morton	Tufte
Duncan	Martin of Billings	Ueland
Evans	Mathews	Wake
Flamer	Midgarden	Walker
Freeman	Miller	Watts
Ganssle	Mockler	Welford
Gibbens	Monek	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Nelson of Traill	Steen
Brodie	Piper	Syvertson
Collins	Schlenker	Tofsrud
Elhard	Shannafelt	Treat
Garden	Sorley of Grand Forks	Wedge
McDowall	Sorlie of Traill	Mr. Speaker
Moore	Shirley	
Murphy	Stavens	

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 18 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. White moved

That the vote by which Senate Bill No. 129 was referred to general orders be reconsidered.

The speaker in the chair.

Which motion prevailed.

Mr. Stevens moved

That Senate Bill No. 129 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 80, nays 0, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Morin
Adams	Giedt	Nelson of Traill
Anderson, Grand F'rks	Graham	Parkhill
Anderson, Bernt	Grant	Peake
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brodie	Hankinson	Restemayer
Brotnov	Hanson	Rohs of Morton
Burdick	Faugen	Rose of Dickey
Burgum	Hemmingsen	Simpson
Buttz	Hosford	Sinclair
Carter	Jensen	Sorley of Grand Forks
Casey	Johnson of Pembina	Storey
Chapman	Johnson of Sargent	Streeter
Church	Johnson of Ward	Swendseid
Connolly	Jones of Barnes	Thoreson
Crawford	Jones of Ransom	Treat
Cunningham	Law	Tufte
Dibley	Martin of Morton	Ueland
Duncan	Martin of Billings	Wake
Elhard	Mathews	Watts
Evans	Miller	Wedge
Flamer	Mockler	Welford
Freeman	Monek	Mr. Speaker
Ganssle	Moore	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Oveson	Stevens
Dean	Piper	Sorlie of Traill
McDowall	Schlenker	Syvertson
Midgarden	Shannafelt	Tofsrud
Murphy	Shirley	Walker
Nelson of Steele	Stavens	White
Garden	Steen	

Messrs. Shannafelt, Shirley and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 243 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 0, absent and not voting 11, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—

Garden
Gibbens
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Miller
Mockler
Monek
Moore
Morin
Murphy

Messrs.—

Nelson of Steele
Nelson of Traill
Parkhill
Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Stavens
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Ueland
Wake
Watts
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Hanson
Haugen

Messrs.—

Johnson of Sargent
Sorley of Grand Forks
Steen

Messrs.—

Tofsrud
Tufte
Wedge

Absent and not voting:

Messrs.—
Collins
McDowall
Midgarden
Oveson

Messrs.—
Piper
Schlenker
Shannafelt
Sorlie of Traill

Messrs.—
Shirley
Syvertson
Walker

Mr. Walker passed,

So the bill passed and the title was agreed to.

Mr. Tufte explained his vote.

Mr. Peake moved

That the vote by which Senate Bill No. 129 passed by reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 84, nays 0, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden

Messrs.—

Gibbens
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Jones of Barnes
Law
Martin of Morton
Martin of Billings
Mathews
Miller
Mockler
Monek
Moore
Murphy

Messrs.—

Nelson of Traill
Parkhill
Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brotnov
Collins
McDowall
Midgarden
Morin
Nelson of Steele

Messrs.—

Oveson
Piper
Schlenker
Shannafelt
Sorlie of Traill

Messrs.—

Shirley
Syvertson
Walker
Watts
Wedge

Messrs. Shannafelt, Shirely and Syvertson being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 84 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 139,

A bill for an act to provide for making necessary improvements at the Industrial School and School for Manual Training, located at Ellendale, providing for the payment of interest on certificates of indebtedness and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 85, nays 0, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Miller
Mockler
Monek

Messrs.—

Parkhill
Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Stavens
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker

Messrs.—
 Flamer
 Freeman
 Garden
 Gibbens
 Giedt

Messrs.—
 Moore
 Morin
 Murphy
 Nelson of Trail

Messrs.—
 Watts
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—
 Brotnov
 Collins
 Ganssle
 McDowall
 Midgarden

Messrs.—
 Nelson of Steele
 Oveson
 Piper
 Schlenker
 Shannafelt

Messrs.—
 Sorlie of Trail
 Shirley
 Steen
 Syvertson
 Wedge

Messrs. Shannafelt, Shirley and Syvertson being excused.
 So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 139 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 275,

A bill for an act making an appropriation for the state historical society of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 78, nays 3;
 absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—
 Adams
 Anderson, Grand F'rks
 Anderson, O. P. N.
 Andrus
 Brodie
 Burdick
 Burgum
 Buttz
 Carter
 Casey
 Chapman
 Church
 Connolly
 Crawford
 Cunningham
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden

Messrs.—
 Grant
 Griffith
 Halaas
 Hallick
 Hanawalt
 Hankinson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Sargent
 Johnson of Ward
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 Miller
 Mockler
 Monek
 Moore

Messrs.—
 Peake
 Plath
 Pugh
 Purdon
 Putnam
 Restemayer
 Rohs of Morton
 Rose of Dickey
 Simpson
 Sinclair
 Sorley of Grand Forks
 Stavens
 Stevens
 Storey
 Streeter
 Swendseid
 Thoreson
 Tofsrud
 Treat
 Tufte
 Ueland
 Wake
 Watts

Messrs.—
Gibbens
Giedt
Graham

Messrs.—
Murphy
Nelson of Traill
Parkhill

Messrs.—
Welford
White
Mr. Speaker

Those who voted in the negative were:

Blake

Blegen

Dean

Absent and not voting:

Messrs.—
Brotnov
Collins
Hanson
McDowall
Midgarden
Morin

Messrs.—
Oveson
Piper
Schlenker
Shannafelt
Sorlie of Traill
Shirley

Messrs.—
Steen
Syvertson
Walker
Wedge
Nelson of Steele

Messrs. Anderson and Bernt Anderson passed,

So the bill passed and the title was agreed to.

Messrs. Shannafelt, Shirely and Syvertson being excused.

Messrs. Anderson and Bernt Anderson passed.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senat Bill No. 275 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 108,

A bill for an act to provide an appropriation for the current and contingent expenses and for permanent improvements of the institution for the feeble minded at Grafton.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 83, nays 0, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—
Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church

Messrs.—
Garden
Gibbens
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward

Messrs.—
Nelson of Traill
Parkhill
Peake
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Steen
Stevens
Storey
Streeter

Messrs.—	Messrs.—	Messrs.—
Connolly	Jones of Barnes	Swendseid
Crawford	Jones of Ransom	Thoreson
Cunningham	Law	Treat
Dean	Martin of Morton	Tufte
Dibley	Martin of Billings	Ueland
Duncan	Mathews	Wake
Elhard	Miller	Watts
Evans	Mockler	Welford
Flamer	Monek	White
Freeman	Moore	Mr. Speaker
Ganssle	Murphy	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Oveson	Stavens
Hanson	Piper	Syvertson
McDowall	Schlenker	Tofsrud
Midgarden	Shannafelt	Walker
Morin	Sorlie of Traill	Wedge
Nelson of Steele	Shirley	

Messrs. Shannafelt and Shirley being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 108 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 133,

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 83, nays 0, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Parkhill
Adams	Graham	Peake
Anderson, Grand F'rks	Griffith	Plath
Anderson, Eernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Burdick	Hemmingsen	Simpson
Burgum	Hosford	Sinclair
Buttz	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Stavens
Casey	Johnson of Sargent	Stevens

Messrs.—	Messrs.—	Messrs.—
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Swendseid
Crawford	Law	Thoreson
Cunningham	Martin of Morton	Tofsrud
Dean	Martin of Billings	Treat
Dibley	Mathews	Tufte
Duncan	Garden	Ueland
Elhard	Miller	Wake
Evans	Mockler	Watts
Flamer	Monek	Welford
Freeman	Moore	White
Ganssle	Murphy	Mr. Speaker
Gibbens	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Nelson of Steele	Shirley
Collins	Oveson	Steen
Grant	Piper	Syverson
McDowall	Schlenker	Walker
Midgarden	Shannafelt	Wedge
Morin	Sorlie of Traill	

Messrs. Shirley and Shannafelt being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 133 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 88,

A bill for an act to provide a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 4, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Giedt	Parkhill
Anderson, O. P. N.	Graham	Peake
Blegen	Griffith	Plath
Brodie	Halaas	Pugh
Burdick	Hallick	Purdon
Burgum	Hanawalt	Putnam
Buttz	Hankinson	Rohs of Morton
Carter	Haugen	Rose of Dickey
Casey	Hosford	Simpson
Chapman	Jensen	Sinclair
Church	Johnson of Pembina	Stavens

Messrs.—	Messrs.—	Messrs.—
Connolly	Johnson of Sargent	Stevens
Crawford	Johnson of Ward	Storey
Cunningham	Jones of Barnes	Streeter
Dean	Jones of Ransom	Swendseid
Dibley	Law	Thoreson
Duncan	Martin of Morton	Treat
Elhard	Martin of Billings	Tufte
Evans	Mathews	Ueland
Flamer	Miller	Wake
Freeman	Mockler	Watts
Ganssle	Moore	Welford
Garden	Murphy	White
Gibbens	Nelson of Traill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hemmingsen	Sorley of Grand Forks
Blake		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Midgarden	Shannafelt
Anderson, Bernt	Monek	Sorlie of Traill
Andrus	Morin	Shirley
Brotnov	Nelson of Steele	Steen
Collins	Oveson	Syverson
Grant	Piper	Tofsrud
Hanson	Restemayer	Walker
McDowall	Schlenker	Wedge

Messrs. Shannafelt and Shirley being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 88 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 105,

A bill for an act making an appropriation for the erection of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 74, nays 7, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Halaas	Purdon

Messrs.—

Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Buttz
Carter
Casey
Chapman
Church
Connolly
Cunningham
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Hallick
Hanawalt
Hankinson
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Monek
Moore
Murphy
Nelson of Traill
Peake
Piper

Messrs.—

Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Watts
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Brotnov
Burgum
Collins
Hanson
Haugen
McDowall

Messrs.—

Mockler
Morin
Oveson
Parkhill
Schlenker
Shannafelt

Messrs.—

Sorlie of Traill
Shirley
Steen
Syvertson
Walker
Wedge

Absent and not voting:

Messrs.—

Burdick
Crawford
Dean

Messrs.—

Griffith
Hemmingsen

Messrs.—

Nelson of Steele
Stavens

Messrs. Shannafelt and Shirley being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 105 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota, and for the creating of a board of armory supervisors and defining its duties, for the transfer of armories upon the mustering

out of any military organization enumerated, and defining the duties of the state treasurer in carrying out the provisions of this act.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 83, nays 1, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Nelson of Steele
Anderson, Grand F'rks	Giedt	Nelson of Traill
Anderson, Bernt	Graham	Parkhill
Anderson, O. P. N.	Grant	Peake
Andrus	Griffith	Plath
Blake	Halaas	Pugh
Blegen	Hallick	Purdon
Brodie	Hanawalt	Putnam
Brotnov	Hankinson	Restemayer
Burdick	Hanson	Rohs of Morton
Burgum	Haugen	Rose of Dickey
Buttz	Hemmingsen	Simpson
Carter	Hosford	Sinclair
Casey	Jensen	Sorley of Grand Forks
Chapman	Johnson of Pembina	Stevens
Church	Johnson of Sargent	Storey
Connolly	Johnson of Ward	Streeter
Crawford	Jones of Barnes	Swendseid
Cunningham	Jones of Ransom	Thoreson
Dean	Law	Treat
Dibley	Martin of Morton	Tufte
Duncan	Martin of Billings	Ueland
Elhard	Mathews	Wake
Evans	Miller	Watts
Flamer	Mockler	Welford
Freeman	Monek	White
Ganssle	Moore	Mr. Speaker
Garden	Murphy	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Schlenker	Steen
McDowall	Shannafelt	Syverson
Midgarden	Sorlie of Traill	Tofsrud
Morin	Shirley	Walker
Oveson	Stavens	Wedge
Piper		

Mr. Aaker voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 87 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the committee amendments to Senate Bill No. 39 be adopted.

Which motion prevailed and

The amendments were adopted.

Senate Bill No. 39,

A bill for an act to provide for making needed permanent improvements for the school for the deaf at Devils Lake, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 81, nays 0, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Garden	Moore
Anderson, Grand F'rks	Gibbens	Nelson of Steele
Anderson, Bernt	Giedt	Nelson of Traill
Anderson, O. P. N.	Graham	Parkhill
Andrus	Grant	Peake
Blake	Griffith	Plath
Blegen	Halaas	Pugh
Brodie	Hallick	Purdon
Brotnov	Hanawalt	Putnam
Burdick	Hankinson	Rohs of Morton
Burgum	Haugen	Rose of Dickey
Buttz	Hemmingsen	Simpson
Carter	Hosford	Sinclair
Casey	Jensen	Sorley of Grand Forks
Chapman	Johnson of Pembina	Stavens
Church	Johnson of Sargent	Stevens
Connolly	Johnson of Ward	Storey
Cunningham	Jones of Barnes	Streeter
Dean	Law	Swendseid
Dibley	Jones of Ransom	Thoreson
Crawford	Martin of Morton	Treat
Duncan	Martin of Billings	Tufte
Elhard	Mathews	Ueland
Evans	Midgarden	Wake
Flamer	Miller	Welford
Freeman	Mockler	White
Ganssle	Monek	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Piper	Steen
Collins	Restemayer	Syvertson
Hanson	Schlenker	Tofsrud
McDowall	Shannafelt	Walker
Morin	Sorlie of Traill	Watts
Murphy	Shirley	Wedge
Oveson		

Messrs. Shannafelt and Shirley being excused.

So the bill was passed and the title agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 39 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

On request of Mr. Johnson the privileges of the floor were extended to Mr. D. J. Laxdahl of Cavalier, N. D.

On request of Mr. Chapman the privileges of the floor were extended to Dr. J. D. Taylor of Minot.

On request of Mr. Sorley of Grand Forks the privileges of the floor were extended to Mr. P. O. Thorsen of Grand Forks.

On request of Mr. Ueland the privileges of the floor were extended to Mr. McDowell of LaMoure county.

On request of Mr. Buttz the privileges of the floor were extended to Mr. Daniel Murphy of Minot.

On request of Mr. Treat the privileges of the floor were extended to Mr. Robert Brooke of Blakemore.

On request of Mr. Andrus the privileges of the floor were extended to Mr. Elliot of Ransom county, North Dakota.

There being no objection the privileges of the floor were extended to Mr. H. M. Williams.

On request of Mr. Burgum the privileges of the floor were extended to Mr. Piper of Leonard.

Mr. Freeman moved

That the house take a recess until 9:30 a. c. tomorrow.

Which motion prevailed, and

The house took a recess until 9:30 a. m. tomorrow.

P. D. NORTON,

Chief Clerk.

FIFTY-FIRST DAY—AFTER RECESS
AND
FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28, 1907.

The house assembled at 9:30 o'clock a. m. pursuant to recess taken.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Mr. Stevens moved as a substitute

That the house proceed to the third reading of house bills.

Which substitute motion prevailed.

House Bill No. 259,

A bill for an act to provide for the collection of delinquent personal taxes.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 71, nays 2, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Andrus

Blake

Messrs.—

Griffith

Hallick

Hanawalt

Hanson

Haugen

Messrs.—

Piper

Plath

Pugh

Restemayer

Rohs of Morton

Messrs.—

Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Church
Connolly
Crawford
Dean
Duncan
Elhard
Flamer
Ganssle
Garden
Gibbens
Graham
Grant

Messrs.—

Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake

Messrs.—

Rose of Dickey
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Walker
Watts
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Bernt
Anderson, O. P. N.
Casey
Chapman
Collins
Cunningham
Dibley
Freeman
Giedt

Messrs.—

Halaas
Hankinson
Jones of Ransom
Martin of Billings
Martin of Morton
Mathews
McDowall
Parkhill
Purdon

Messrs.—

Putnam
Schlenker
Shannafelt
Simpson
Sinclair
Shirley
Streeter
Wake
Wedge

Messrs. Evans and White voting in the negative.

Messrs. Shannafelt and Shirley being excused

So the bill passed and the title was agreed to.

Mr. Tofsrud moved

That the vote by which House Bill No. 259 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Was read the third time.

The question being on the final passage of the bill;

The roll was called there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Pugh
Andrus	Hallick	Purdon
Blake	Hanawalt	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Swendseid
Connolly	Midgarden	Syvertson
Crawford	Miller	Thoreson
Dean	Mockler	Tofsrud
Dibley	Monek	Treat
Duncan	Moore	Tufte
Elhard	Morin	Ueland
Evans	Murphy	Walker
Flamer	Nelson of Steele	Welford
Ganssle	Nelson of Traill	White
Garden	Parkhill	Mr. Speaker
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Martin of Billings	Simpson
Cunningham	Mathews	Shirley
Freeman	McDowall	Streeter
Giedt	Oveson	Wake
Hankinson	Schlenker	Watts
Jones of Ransom	Shannafelt	Wedge
Martin of Morton	Sinclair	

Mr. Aaker voting in the negative.

Messrs. Shannafelt and Shirley being excused

So the bill was passed and the title agreed to.

Mr. Midgarden moved

That the vote by which House Bill No. 159 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 154,

A bill for an act to amend section 1508 of the Revised Codes of 1905, relating to the assessment of bank stocks.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 17, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Putnam
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blegen	Hemmingsen	Sorley of Grand Forks
Brodie	Hosford	Stavens
Brotnov	Johnson of Pembina	Steen
Burgum	Johnson of Sargent	Stevens
Casey	Johnson of Ward	Storey
Church	Jones of Barnes	Swendseid
Connolly	Midgarden	Syverson
Crawford	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Moore	Tufte
Ganssle	Morin	Ueland
Garden	Nelson of Steele	Walker
Gibbens	Nelson of Traill	Watts
Graham	Oveson	Welford
Grant	Piper	Mr. Speaker
Griffith	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Elhard	Murphy
Burdick	Evans	Peake
Buttz	Flamer	Purdon
Carter	Jensen	Thoreson
Chapman	Law	White
Dean	Monek	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Martin of Morton	Simpson
Collins	Martin of Billings	Sinclair
Cunningham	Mathews	Shirley
Freeman	McDowall	Sorlie of Traill
Giedt	Parkhill	Streeter
Hankinson	Schlenker	Wake
Jones of Ransom	Shannafelt	Wedge

Messrs. Shannafelt and Shirley being excused

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 154 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 15,

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Sorley of Grand Forks
Brotnov	Hosford	Sorlie of Traill
Burdick	Jensen	Stavens
Burgum	Johnson of Pembina	Steen
Buttz	Johnson of Sargent	Stevens
Carter	Johnson of Ward	Storey
Casey	Jones of Barnes	Swendseid
Chapman	Midgarden	Syvertson
Church	Miller	Thoreson
Connolly	Mockler	Tofsrud
Crawford	Monek	Tufte
Dean	Moore	Ueland
Dibley	Morin	Walker
Duncan	Murphy	Watts
Elhard	Nelson of Steele	Wedge
Evans	Nelson of Traill	Welford
Flamer	Oveson	White
Ganssle	Peake	Mr. Speaker
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Law	Shannafelt
Cunningham	Martin of Morton	Simpson
Freeman	Martin of Billings	Sinclair
Garden	Mathews	Shirley
Giedt	McDowall	Streeter
Hankinson	Parkhill	Treat
Jones of Ransom	Schlenker	Wake

Messrs. Shannafelt and Shirley being excused

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 15 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Peake
Adams	Graham	Plath
Anderson, Grand F'rks	Grant	Pugh
Anderson, Bernt	Griffith	Purdon
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hallick	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brodie	Hanson	Simpson
Brotnov	Haugen	Sorley of Grand Forks
Burdick	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Casey	Johnson of Ward	Storey
Chapman	Jones of Barnes	Streeter
Church	Jones of Ransom	Swendseid
Connolly	Martin of Morton	Syverson
Crawford	Martin of Billings	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Tufte
Dibley	Mockler	Ueland
Duncan	Monek	Walker
Elhard	Moore	Watts
Evans	Morin	Wedge
Flamer	Murphy	Welford
Freeman	Nelson of Steele	White
Ganssle	Nelson of Traill	Mr. Speaker
Garden	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	McDowall	Sinclair
Giedt	Parkhill	Shirley
Johnson of Sargent	Schlenker	Treat
Law	Shannafelt	Wake
Mathews		

Mr. Piper voting in the negative.

Messrs. Shannafelt and Shirley being excused

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 309 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 267,

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the Revised Codes of 1905, relating to the removal of county seats."

Was read the third time.

Mr. Welford moved

That the further consideration of the bill be referred to the committee on counties and county boundaries.

Which motion prevailed, and

The bill was so referred.

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 5, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Peake
Adams	Giedt	Piper
Anderson, Grand F'rks	Graham	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burgum	Hosford	Sinclair
Buttz	Jensen	Sorley of Grand F'rks
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Syverson
Crawford	Law	Thoreson
Cunningham	Martin of Billings	Treat
Dean	Midgarden	Tufte
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Elhard	Monek	Walker
Evans	Moore	Wedge
Flamer	Morin	Welford
Freeman	Murphy	White
Ganssle	Nelson of Traill	Mr. Speaker
Garden	Oveson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Nelson of Steele	Swendseid
Hanson	Stavens	Watts

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burdick	McDowall	Sorlie of Traill
Collins	Parkhill	Shirley
Martin of Morton	Schlenker	Tofsrud
Mathews	Shannafelt	

Messrs. Shannafelt and Shirley being excused
So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 304 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 302,

A bill for an act to repeal section 3013 of the Revised Codes of North Dakota for the year 1905, relating to bridge funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 4, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Oveson
Adams	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Sorlie of Traill
Burdick	Hosford	Stavens
Burgum	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Chapman	Johnson of Sargent	Storey
Church	Johnson of Ward	Streeter
Connolly	Jones of Barnes	Swendseid
Crawford	Jones of Ransom	Syvertson
Cunningham	Law	Thoreson
Dean	Martin of Billings	Tofsrud
Dibley	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Murphy	Welford
Garden	Nelson of Steele	White
Gibbens	Nelson of Traill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Rose of Dickey	Sorley of Grand Forks
Casey		

Absent and not voting:

Messrs.—

Collins
Griffith
Martin of Morton
Mathews

Messrs.—

McDowall
Parkhill
Schlenker
Shannafelt

Messrs.—

Simpson
Sinclair
Shirley
Wedge

Messrs. Shannafelt and Shirley being excused
So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 392 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 88, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Billings
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Piper

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Svvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Chapman
Collins
Jones of Ransom
Martin of Morton

Messrs.—

McDowall
Parkhill
Peake
Rose of Dickey

Messrs.—

Schlenker
Shannafelt
Shirley

Mr. Hankinson voting in the negative.

Messrs. Shannafelt and Shirley being excused

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 312 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 1, absent and not voting 7, present and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford

Messrs.—

Gibbens
Giedt
Graham

Messrs.—

Nelson of Traill
F cake
Oveson

Messrs.—

White
Mr. Speaker

Absent and not voting:

Messrs.—

Chapman
Collins
McDowall

Messrs.—

Parkhill
Schlenker

Messrs.—

Shirley
Shannafelt

Mr. Hankinson voting in the negative.

Messrs. Aaker, Steen and Tofsrud passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Dibley moved

That the vote by which House Bill No. 262 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan

Messrs.—

Graham
Grant
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Billings
Midgarden
Miller
Mockler
Monek
Moore

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland

Messrs.—	Messrs.—	Messrs.—
Elhard	Morin	Wake
Evans	Murphy	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Garden	Peake	White
Gibbens	Piper	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	Martin of Morton	Shannafelt
Collins	McDowall	Shirley
Griffith	Parkhill	Treat
Jones of Ransom	Schlenker	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House bill No. 299 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 85, nays 1, absent and not voting 13, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burgum	Hosford	Simpson
Buttz	Jensen	Sinclair
Carter	Johnson of Pembina	Sorley of Grand Forks
Chapman	Johnson of Sargent	Stavens
Church	Johnson of Ward	Steen
Connolly	Jones of Barnes	Stevens
Crawford	Law	Storey
Cunningham	Martin of Billings	Streeter
Dean	Mathews	Swendseid
Dibley	Midgarden	Syverson
Duncan	Miller	Thoreson
Elhard	Mockler	Tofsrud

Messrs.—

Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Tufte
Ueland
Wake
Walker
Wedge
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Burdick
Casey
Collins
Jones of Ransom
Martin of Morton

Messrs.—

McDowall
Parkhill
Schlenker
Shannafelt

Messrs.—

Sorlie of Traill
Shirley
Treat
Watts

Mr. White voting in the negative.

Mr. Adams passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Freeman moved

That the vote by which House Bill No. 165 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 314,

A bill for an act amending section 605 of the Revised Codes of 1905, relating to the qualifications of electors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Connolly

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Stavens
Steen
Stevens
Storey
Streeter
Swendseid

Messrs.—	Messrs.—	Messrs.—
Crawford	Martin of Billings	Syverson
Cunningham	Mathews	Thoreson
Dean	Midgarden	Treat
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Murphy	Wedge
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	McDowall	Sorlie of Traill
Collins	Parkhill	Shirley
Jones of Ransom	Schlenker	Tofsrud
Martin of Morton	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 314 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand Forks	Griffith	Pugh
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hanson	Rose of Dickey
Blegen	Haugen	Simpson
Brodie	Hemmingsen	Sinclair
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Jensen	Stavens
Burgum	Johnson of Pembina	Steen
Buttz	Johnson of Sargent	Stevens
Carter	Johnson of Ward	Storey
Chapman	Jones of Barnes	Streeter

Messrs.—	Messrs.—	Messrs.—
Church	Law	Swendseid
Crawford	Martin of Billings	Syverson
Cunningham	Mathews	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	Martin of Morton	Schlenker
Collins	McDowall	Shannafelt
Connolly	Parkhill	Sorlie of Traill
Hankinson	Purdon	Shirley
Jones of Ransom		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 313 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Hanson	Simpson
Brodie	Haugen	Sinclair
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Stavens
Burgum	Jensen	Steen
Buttz	Johnson of Pembina	Stevens
Carter	Johnson of Sargent	Storey

Messrs.—

Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer
Freeman
Ganssle
Gibbens
Giedt

Messrs.—

Johnson of Ward
Jones of Barnes
Law
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Traill
Oveson
Peake
Piper

Messrs.—

Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Collins
Evans
Garden
Jones of Ransom
Martin of Morton

Messrs.—

Martin of Billings
McDowall
Nelson of Steele
Parkhill

Messrs.—

Schlenker
Shannafelt
Shirley
Sorlie of Traill

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 308 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 13, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford

Messrs.—

Piper
Plath
Pugh
Purdon
Restemayer
Rohs of Morton
Simpson
Sinclair
Sorley of Grand Forks
Stavens
Steen

Messrs.—	Messrs.—	Messrs.—
Burgum	Jensen	Stevens
Carter	Johnson of Pembina	Storey
Casey	Johnson of Sargent	Streeter
Chapman	Johnson of Ward	Swendseid
Church	Jones of Barnes	Syverson
Connolly	Law	Thoreson
Crawford	Mathews	Tofsrud
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Dibley	Mockler	Ueland
Duncan	Monek	Wake
Elhard	Moore	Walker
Evans	Morin	Watts
Flamer	Murphy	Wedge
Freeman	Nelson of Steele	Welford
Ganssle	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	McDowall	Schlenker
Garden	Parkhill	Shannafelt
Jones of Ransom	Putnam	Shirley
Martin of Morton	Rose of Dickey	Sorlie of Traill
Martin of Billings		

Mr. Buttz passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 279 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That House Bill No. 208 be made a special order for the first business on next Monday.

Which motion prevailed.

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 20, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Rohs of Morton
Adams	Hanawalt	Rose of Dickey
Anderson, Grand F'rks	Haugen	Simpson
Anderson, Bernt	Hemmingsen	Sorley of Grand Forks
Andrus	Hosford	Sorlie of Traill
Blegen	Jensen	Stavens
Brotnov	Johnson of Pembina	Steen
Burgum	Johnson of Sargent	Stevens
Carter	Jones of Barnes	Streeter
Casey	Law	Swendseid
Chapman	Mathews	Syvertson
Church	Midgarden	Thoreson
Connolly	Miller	Tofsrud
Crawford	Morin	Treat
Cunningham	Nelson of Traill	Tufte
Dean	Oveson	Ueland
Dibley	Peake	Wake
Duncan	Piper	Walker
Flamer	Pugh	Watts
Ganssle	Purdon	Welford
Gibbens	Putnam	White
Graham	Restemayer	Mr. Speaker
Halaas		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Giedt	Moore
Blake	Grant	Murphy
Burdick	Griffith	Nelson of Steele
Buttz	Hankinson	Plath
Elhard	Hanson	Sinclair
Evans	Johnson of Ward	Wedge
Freeman	Monek	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Schlenker
Collins	McDowall	Shannafelt
Garden	Mockler	Shirley
Jones of Ransom	Parkhill	Storey
Martin of Morton		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 76 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Also.

House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

And find the same correctly engrossed.

O. S. AAKER,

Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Blake

Blegen

Messrs.—

Grant

Griffith

Halaas

Hallick

Hanawalt

Hankinson

Hanson

Messrs.—

Pugh

Purdon

Putnam

Restemayer

Rohs of Morton

Rose of Dickey

Simpson

Messrs.—	Messrs.—	Messrs.—
Brotnov	Haugen	Sinclair
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Connolly	Law	Swendseid
Crawford	Mathews	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Monek	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Evans	Murphy	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Gibbens	Peake	White
Giedt	Plath	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Martin of Morton	Piper
Brodie	Martin of Billings	Schlenker
Collins	McDowall	Shannafelt
Garden	Mockler	Shirley
Jones of Ransom	Parkhill	Treat

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which House Bill No. 75 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objection the house returned to the Ninth order of business.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

The committee on state affairs introduced
House Bill No. 330,

A bill for an act to amend sections 1310 and 1315 of the Revised Codes of 1905 relating to the law for aid of county fairs.

Which was read the first and second times and
Referred to the committee of the whole.

Mr. White introduced

House Bill No. 331,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the election and term of office of railroad commissioners.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Adams, by request, introduced

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Duncan introduced

House Bill No. 333,

A bill for an act to re-enact sections 2169, 2170, 2173 and 2174 of the Revised Codes of North Dakota of 1905, relating to automobiles, steam cars and motor cycles.

Which was read the first and second times and

Referred to the committee on highways and bridges.

Mr. Garden introduced

House Bill No. 334,

A bill for an act to define the Ninth judicial district of the state of North Dakota, defining the boundaries of the Second, Eighth and Ninth judicial districts of said state, and providing for terms of court in the said districts.

Which was read the first and second times and

Referred to the committee on judiciary.

On request of Mr. Burgum the privileges of the floor were extended to Mr. Shannafelt.

There being no objection the privileges of the floor were extended to Messrs. George Senior and Chas. Holton of Stark county.

On request of Mr. Buttz the privileges of the floor were extended to Messrs. Blank and Lish.

On request of Mr. Treat the privileges of the floor were extended to Mr. Townsend.

On request of Mr. Burdick the privileges of the floor were extended to Mr. G. P. Jones.

On request of Mr. Dibley the privileges of the floor were extended to Mr. Worst.

On request of Mr. Ueland the privileges of the floor were extended to Mr. Jones.

On request of Mr. Chapman the privileges of the floor were extended to Rev. E. Elsworth Smith.

Mr. Tufte moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, McDowall, Schlenker and Shirley, who were excused.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Berndt Anderson presented the following petition:

In behalf of the Devils Lake Shakespeare Club, we do hereby petition the honorable members of the senate and house of representatives of North Dakota, to use their best efforts to promote the passage of the bill prohibiting the sale of cigarettes to boys under eighteen years of age.

MRS. FRANK STOLTZE,
President.

HARRIET E. JUERGENS,
Secretary.

O. P. N. Anderson of Ramsey county presented the following petition:

In behalf of the Devils Lake Shakespeare Club, we do hereby petition the honorable members of the senate and house of representatives of North Dakota, to use their best

efforts to promote the passage of the bill prohibiting the sale of cigarettes to boys under sixteen years of age.

MRS. FRANK STOLTZE,
President.

HARRIET E. JUERGENS,
Secretary.

Mr. Thoreson presented the following petition:

Members of Legislature, Bismarck, N. D.

DEAR SIR: A copy of Houes Bill No. 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$1,000, whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we your constituents will ever pray.

HENRY T. LEE,
And 12 Others.

Mr. Carter presented the following petition:

Members of Legislature, Bismarck, N. D.

DEAR SIR: A copy of Houes Bill No. 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$1,000, whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we your constituents will ever pray.

JOHN E. FLECKTEN,
And 28 Others.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 281,

A bill for an act entitled an act to provide for the vacation of alleys in cemeteries owned by cemetery corporations.

Also,

Senate Bill No. 247,

A bill for an act to amend section 7598 of the Code of 1905, relating to the law of eminent domain.

Also,

Senate Bill No. 295,

A bill for an act to amend section 8983 of the Revised Codes of 1905.

Also,

Senate Bill No. 167,

A bill for an act to amend section 2245 relating to license. How obtained. Fee, how determined.

Also,

Senate Bill No. 286,

A bill for an act to authorize holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts, and obtain new contracts for the land less the rights of way required for such railroad, and providing for the payment to the state of the balance of the purchase price of the land required for such rights of way and issuance of deed therefor.

Also,

Senate Bill No. 296,

A bill for a concurrent resolution to amend section 182 of the Constitution of the state of North Dakota, relating to a public debt and public works.

Also,

Senate Bill No. 263,

A bill for an act prohibiting servants and employees on sleeping cars and dining cars from accepting gratuities or tips, and prohibiting persons giving gratuities or tips.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Miller presented the following petition:

Members of Legislature, Bismarck, N. D.:

DEAR SIR: A copy of House Bill No. 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$1,000, whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise, but legislation of this kind is harmful and would practically ruin our business, and we your constituents will ever pray.

G. F. CHARLESWORTH,
And Three Others.

Mr. Law presented the following petition:

Members of Legislature, Bismarck, N. D.:

We, the undersigned threshermen and citizens of Leal, Barnes county, North Dakota, having just read a copy of House Bill No. 56 (introduced by Mr. Freeman), petition

you to do all in your power by vote and influence to prevent said bill from becoming law, as we believe it would work not only a great hardship to the thresher, but the farmers in general.

H. W. GREEN,
And 11 Others.

Mr. Hankinson presented the following petition:

Members of Legislature, Bismarck, N. D.:

In the name of the twenty members of our local union, and in behalf of all the children in our state, we urge you to support House Bill No. 185, the anti-cigarette bill, and Senate Bill No. 110, enforcement committee bill.

Respectfully yours,

MRS. E. M. TYSON,
President W. C. T. U.,
And Six Others.

Mr. Carter presented the following petition:

To the Honorable, the Legislative Assembly of the State of North Dakota:

The undersigned citizens and taxpayers of Ward county, North Dakota, realizing the inadequacy of the provisions of section 2596, Revised Codes of 1905, as applicable to the amount allowed for clerk hire in the register of deeds office for the county of Ward, in that it does not permit of sufficient clerk hire to meet the demands as existing in the said county, hereby urgently request and petition that you amend said section so as to provide sufficient clerk hire for the prompt and accurate dispatch of business.

THE TITLE INVESTMENT & TRUST CO.,

And 18 Others.

Mr. Speaker:

We, Laura Connor and Florence Connolly, stenographers for the House of Representatives, beg leave to inform you and report to the house that the notes taken by us by order of the speaker, covering the conversation, questions asked and answered on the evening of February 27, 1907, in connection with the investigation and receiving of the report from the railroad commissioners, have been taken from our desks.

On February 26th we transcribed from our notes the greater portion of the facts contained in our notes. The portion transcribed together with our note books were placed by us in our desk where it is usual to keep our notes. We discovered in the morning of the 27th that all of the transcribed matter and all of the books which contained any matter in relation to this investigation to have been taken from our desks. No other papers or note books being taken.

We are, therefore, unable to furnish to the house a report of any part of the transactions at that meeting which was contained in our notes. While we very much regret this we feel that we used ordinary precaution in the care of said notes and no blame should attach to us.

Respectfully submitted,

FLORENCE CONNOLLY,
LAURA CONNOR.

Mr. Sorley of Grand Forks moved

That a committee of three be appointed by the speaker to investigate the loss of the stenographers' notes and transcripts and that they be given power to send for papers and persons and make a thorough investigation.

Which motion prevailed.

And the speaker appointed as such committee Messrs. Graham, Tufte and Burgum.

Mr. Jones of Barnes presented the following petition:
Members of Legislature, Bismarck, N. D.:

DEAR SIR: A copy of Houes Bill No. 56, entitled an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries, etc., has been read by us and we believe that this bill, if allowed to become a law, would practically confiscate every threshing outfit in North Dakota. It is in our opinion an unjust, unreasonable and uncalled for measure. But few if any threshermen could secure two endorsers to a bond of \$1,000, whether they are known to pay their debts in advance or not, besides, it is a class measure of the rankest kind. Why not in like manner require the groceryman and everybody else obtaining credit to give a like bond?

Common justice to us as a hard working class demands that this harmful measure be killed. We believe in paying our debts and we believe in everybody else doing likewise,

but legislation of this kind is harmful and would practically ruin our business, and we your constituents will ever pray.

H. W. POND,
And 18 Others.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 184,

A bill for an act to amend section 2245 of the Revised Codes of 1905, relating to the license of grain warehouses.

Also,

House Bill No. 233,

A bill for an act entitled, An act making the use of any store, house, shop or other building or any basement or room therein or any lot, block or other parcel of land situate within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

Also,

House Bill No. 234,

A bill for an act to amend section 9358 of the Revised Codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said Codes.

Also,

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the gar-

nishment proceedings in the action in which the change of venue is obtained.

Also,

House Bill No. 218.

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to terms of office of township officers.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Also,

House Bill No. 151.

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Also,

House Bill No. 163,

A bill for an act to amend sections 4305 and 4306 of the Revised Codes of 1905.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxation and tax laws made the following report:

Mr Speaker:

Your committee on taxation and tax laws to whom was referred

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Have had the same under consideration and recommend the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Have had the same under consideration and recommend that the same do pass.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 269.

A bill for an act to amend and re-enact section 2894 of the Revised Codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 249,

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as

a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the enacting clause, and insert in lieu thereof the following: "All provisions in any contract hereafter made for the sale of any article of commerce which seeks to prevent any purchaser from setting up as a defense or counterclaim in an action for the recovery of the purchase price of such article of commerce, defects existing at the time of purchase, are hereby declared to be against public policy and void."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 320,

A bill for an act entitled an act to provide for two judges of the district court in the Sixth judicial district.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 316,

A bill for an act designating the time of commencement of the term of office of the register of deeds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley of Grand Forks moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 292,

A bill for an act to amend section 9202 of chapter 50 of the Revised Codes of 1905 for the state of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 307,

A bill for an act to amend section 9190 of the Revised Codes of the state of North Dakota for the year 1905, fixing the punishment for grand larceny.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 311,

A bill for an act to provide for the appointment of a board of examiners to determine the conditions of defendant's mind, in cases of homicide or other crimes, in which the defense attributes the act to insanity.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following majority report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Referred to general orders.

The committee on judiciary made the following minority report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Have had the same under consideration and recommend that the same do pass.

Referred to general orders.

Also,

House Bill No. 268,

A bill for an act to amend and reenact section 2584 of the Revised Code of 1905, relating to fees that clerks of the district courts shall charge and collect, and repealing section 2585 of the Revised Code of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 71,

A bill for a concurrent resolution to amend the constitution of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 303,

A bill for an act to amend section 7033 of the Revised Codes of North Dakota of 1905, relating particularly to special verdicts, when to be submitted, what to embrace, and instructions of court to jury thereunder.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 55,

A bill for an act to provide for the making official of certain county records.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved
That the report be adopted,
Which motion prevailed and
The further consideration of the bill was indefinitely postponed.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 328,

A bill for an act to regulate the width of sleighs, sleds and cutters used on public highways.

Have had the same under consideration and recommend that the same be amended as follows:

In section 3 change the word "ten" to "five" and the word "fifty" to "twenty-five."

And when so amended recommend the same do pass.

D. E. BLAKE,
Chairman.

The committee on state affairs made the following report:

Mr Speaker:

Your committee on state affairs to whom was referred Senate Bill No. 262,

A bill for an act relating to the licensing of transient merchants, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and township surveyors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title of the bill by striking out the words "township surveyors" and insert in lieu thereof the words "the board of township supervisors."

In section 13, line 19 of the printed bill, strike out all after the word "required" and all of line 20 and up to and including the word "size" in line 21.

And when so amended recommend the same do pass.

O. P. N. ANDERSON,
Chairman.

Also,

Senate Bill No. 47,

A bill for an act to amend section 241, chapter IV of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 266,

A bill for an act to amend section 1310 of the Revised Code of 1905, relating to the law for aid of county fairs.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 224,

A bill for an act providing for the placing of the inmates of the reform school of the state of North Dakota under the guardianship and control of the board of trustees of said reform school.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 194,

A bill for an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 326,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 225,

A bill for an act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Also,

Senate Bill No. 215,

A bill for an act requiring the party in charge of a state institution to make an inventory of property therein.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Also,

Senate Bill No. 226,

A bill for an act for paroling inmates of the reform school.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 261,

A bill for an act to amend sections 1311, 1312 and to repeal section 1315, Revised Codes of North Dakota, 1905, relating to county fairs.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,

Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; pre-

scribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted..

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred
House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Have had the same under consideration and recommend that the same do pass.

JOHN STOREY,
Chairman.

Mr. Storey moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Have had the same under consideration and recommend that the same do pass.

JOHN STOREY,
Chairman.

Mr. Storey moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 104,

A bill for an act making it unlawful for any corporation to use any of its money or property or any thing of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or any thing of value and prescribing penalties therefor.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 306,

A bill for an act to amend sections 615 and 616 of the Revised Codes of 1905, relating to ballots to be used at general elections.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Have had the same under consideration and recommend that the same do pass.

W. J. WATTS,
Chairman.

Mr. Watts moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 181,

A bill for an act to repeal section 9448 of the Revised Codes of North Dakota of 1905, relating to fraudulently obtaining food or accommodations at inns.

Have had the same under consideration and recommend that the same be indefinitely postponed.

K. O. BROTN OV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on education made the following report:
Mr Speaker:

Your committee on education to whom was referred
Senate Bill No. 24,

A bill for an act to amend section 1016 of the Revised
Codes of 1905, relating to report by city treasurer of re-
ceipts and disbursements of moneys of independent school
districts.

Have had the same under consideration and recommend
that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 116,

A bill for a concurrent resolution amending the consti-
tution of the state of North Dakota, establishing and locat-
ing a state normal school in the city of Minot, county of
Ward.

Have had the same under consideration and recommend
that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Mr. Tofsrud moved

That the report be amended by substituting the word
"Rugby" for the word "Minot."

The question being upon the amendment

The same was lost.

The question being upon the original motion the same
prevailed and

The report of the committee was adopted.

The committee on education made the following report:
Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 158,

A bill for an act to amend section 1172 of the Revised

Codes of 1905, relating to the industrial school and school for manual training.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11, section 1, of the printed bill, strike out the words "of lawful age" and insert in lieu thereof the words "who are legal voters."

And when so amended recommend the same do pass.

T. D. CASEY,
Chairman.

Also,

Senate Bill No. 144,

A bill for an act to amend section 949 of the Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 168,

A bill for an act to amend sections 977 and 998 of the Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7, section 1, of printed bill, strike out the word "state" and insert in lieu thereof the word "county."

In line 8, section 1, of printed bill, strike out the words "public instruction" and insert in lieu thereof the word "schools."

In line 7, section 2, strike out the word "state" and insert the word "county."

And in line 8 strike out the words "public instruction" and insert the word "schools."

And when so amended recommend the same do pass.

T. D. CASEY,
Chairman.

Also,

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Have had the same under consideration and recommend that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 273,

A bill for an act to amend sections 808, 810 and 818, of the Revised Codes of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 202,

A bill for an act to provide for a commission on higher education and defining the duties of the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 255,

A bill for an act to amend section 1031, 1032, 1033, 1034, 1035, 1036 and 1037 of chapter 9, article 25 of the Revised Code of 1905, relating to education and creating a new section providing that high schools may be classified as accredited schools of the university of North Dakota, and repealing all acts in conflict therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 148,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Rugby, county of Pierce.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 128,

A bill for an act to amend and re-enact section 835 of the Revised Codes of the state of North Dakota for the year 1905, providing for the enumeration of persons of school age by district clerks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Have had the same under consideration and recommend that the same be amended as follows :

Strike out lines 27, 28, 29 and 30 as far as the word "further" in line 30, on page 2 of the printed bill, and insert in lieu thereof the following: "Provided, further, that whenever a school house is to be purchased, erected or constructed in a common school district, the school board shall consult with the county superintendent of schools and the county superintendent of health with regard to plans providing for the proper construction, lighting, heating and ventilation."

In line 32, on page 2 of printed bill, strike out the word "such."

On page 3 of the printed bill strike out all after the word "conditions," in line 39, and insert in lieu thereof the following: "And whenever the county superintendent shall report to said board of inspection that a school house or outbuilding is in an unsanitary or unsafe condition said board shall inspect the same and recommend to the district school board that such changes or repairs be made as are necessary to make such building or buildings sanitary, safe, and fit for school purposes."

And when so amended recommend the same do pass.

T. D. CASEY,
Chairman.

SPECIAL ORDERS.

Mr. White offered the following resolution and moved its adoption:

Resolved, That the house refuse to concur in the senate amendments to house bill No. 18; that we ask for a conference committee on this bill consisting of four members of the house, to be appointed by the speaker, and three members of the senate, to be appointed by the president of the senate; that

such conference committee shall consider the senate amendments and other features of the bill and make such recommendation for any modification of the bill as the committee may deem acceptable to the legislative assembly.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Dibley introduced

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Which was read the first and second times and

Referred to the committee on drainage.

Mr. Martin of Billings introduced

House Bill No. 336,

A bill for an act to amend section 9353 of the Revised Codes of 1905 relating to prohibition.

Which was read the first and second times and

Referred to the committee on temperance

The committee on railroads introduced

House Bill No. 337,

A bill for an act to amend section 364 of the Revised Codes of North Dakota for 1905 relating to the board of railroad commissioners.

Which was read the first and second times and

Referred to the committee of the whole.

Mr. Johnson of Sargent (by request) introduced

House Bill No. 338,

A bill for an act authorizing the secretary of state on the approval of the governor to receive and receipt to the United States surveyor general of the district of North Dakota for all the field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as the government may direct to be turned over to the state when all of the public surveys of the state of North Dakota shall have been completed.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Jones of Ransom introduced

House Bill No. 339,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Jones of Ransom introduced

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Mockler (by request) introduced

House Bill No. 341,

A bill for an act to amend section 9354 (chapter 65 of the Penal Code), Revised Codes of the state of North Dakota of 1905, relating to druggist's permits, and how the same may be obtained.

Which was read the first and second times and

Referred to the committee on temperance.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 242,

A bill for an act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.

Also,

Senate Bill No. 186,

A bill for an act making an appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.

Also,

Senate Bill No. 185,

A bill for an act appropriating money to provide for the equipment and maintenance of a public health laboratory in the medical department of the state university and school of mines at Grand Forks.

Also,

Senate Bill No. 153,

A bill for an act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Also,

Senate Bill No. 135,

A bill for an act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Also,

Senate Bill No. 116,

A bill for an act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experiment station at Fargo.

Also,

Senate Bill No. 132,

A bill for an act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Also,

Senate Bill No. 62,

A bill for an act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the Revised Codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same and making an appropriation therefor.

Also,

Senate Bill No. 86,

A bill for an act to amend sections 838, 839, 840, 841 and 842, chapter 9 of the Political Code of the state of North Dakota, Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 91,

A bill for an act making an appropriation for completing

the present building and for furniture, fixtures and improvements for the state normal school at Mayville and for the erection of a woman's dormitory for said school.

Also,

Senate Bill No. 14.

A bill for an act making appropriations for permanent improvements at the state university and school of mines of North Dakota.

Also,

Senate Bill No. 118,

A bill for an act making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for furniture and equipment and for library, bookcases and library furniture, and maintenance of school for two years Beginning January 1st, 1907 for the North Dakota academy of science located at Wahpeton, North Dakota.

Also,

Senate Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Also,

Senate Bill No. 246,

A bill for an act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Also,

Senate Bill No. 244,

A bill for an act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Also,

Senate Bill No. 245,

A bill for an act to amend section 393 of the Revised Codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Also senate memorial to congress relating to meandered lakes and navigable river

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 28, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 28, 1907.

Mr. Speaker:

I have the honor to return herewith the following concurrent resolution:

WHEREAS, The interior department has issued an order to the effect that homestead proofs shall not be approved by the local land offices in this state and receiver's receipts issued thereon until investigation on the ground shall have been made by an authorized agent of the United States and the proof approved by him; and

WHEREAS, Owing to the limited number of inspectors and the large number of final proofs being submitted such order will indefinitely delay the issuance of final certificates and receipts; and

WHEREAS, The homestead entrymen on public agricultural lands in this state are necessarily obliged to borrow money upon their homesteads as soon as final proof is made and approved, for the purpose of procuring seed grain, stock and machinery for the improvement and cultivation of their lands; and

WHEREAS, There are practically no attempts at fraud in the making of final proofs on agricultural lands in this state and there appears to be no necessity for said order and the enforcement of the same will work a great hardship to settlers on public lands in this state and greatly delay the development of North Dakota; now, therefore, be it

Resolved by the House of Representatives, the Senate Concurring, That the secretary of the interior be, and is hereby, requested to rescind or modify said order in so far as the same affects public agricultural lands within the state of North Dakota.

Resolved, further, That the secretary of state be, and he hereby is, requested to forward to His Excellency, President Theodore Roosevelt and to the Hon. H. C. Hansbrough, Hon. Porter J. McCumber, Hon. Thos. F. Marshall and Hon. A. J. Gronna certified copies of this resolution.

Which the senate has amended as follows:

By striking out paragraph 3 of the resolution.

And concurred in as amended.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Burgum moved

That the report of the committee of the whole indefinitely postponing House Bill No. 56 on February 28 be adopted.

Mr. Freeman moved as a substitute motion

That section 1 of the bill be amended to read as follows:

SECTION 1. Public Threshing Men Defined.] Any owner, operator or lessee of a threshing machine not a freeholder of the county in which the threshing is to be done, who operates such machine and performs services therewith for another for profit and who furnishes the labor, help and assistance employed thereon, is hereby declared to be a public thresherman within the meaning of this act.

And when so amended the bill do pass.

Which substitute motion was lost.

The question being on the original

The same prevailed.

Mr. Sorley of Grand Forks moved

That the vote by which the report of the committee of the whole was adopted be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker announced as a committee to ascertain the actual conditions that prevailed during the past two months in all sections of the state, Messrs, Streeter, Chapman, Peake and Casey.

Mr. Streeter moved

That the rules be suspended and that Senate Bill No. 3 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 3,

A bill for an act to amend section 6710 of chapter 101 of the Civil Code of the Revised Codes of North Dakota, 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 41, nays 49, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Elhard	Moore
Anderson, Grand F'rks	Flamer	Parkhill
Anderson, O. P. N.	Gibbens	Peake
Brodie	Giedt	Pugh
Burdick	Graham	Purdon
Burgum	Griffith	Rohs of Morton
Buttz	Halaas	Simpson
Carter	Haugen	Sorley of Grand Forks
Casey	Johnson of Ward	Stevens
Chapman	Jones of Ransom	Storey
Connolly	Law	Streeter
Crawford	Martin of Morton	Treat
Dean	Mathews	Mr. Speaker
Dibley	Mockler	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hosford	Rose of Dickey
Anderson, Bernt	Jensen	Sorlie of Traill
Andrus	Johnson of Pembina	Stavens
Blake	Johnson of Sargent	Steen
Blegen	Jones of Barnes	Swendseid
Brotnov	Martin of Billings	Syverson
Church	Midgarden	Thoreson
Cunningham	Monek	Tofsrud
Duncan	Morin	Tufte
Evans	Nelson of Steele	Ueland
Ganssle	Nelson of Trail	Wake
Garden	Oveson	Walker
Grant	Piner	Watts
Hallick	Plath	Wedge
Hanawalt	Putnam	Welford
Hanson	Restemayer	White
Hemmingsen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Miller	Schlenker
Freeman	Murphy	Shannafelt
Hankinson	Sinclair	Shirley
McDowall		

Messrs. Collins, Schlenker, Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Streeter moved

That the vote by which Senate Bill No. 3 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

GENERAL ORDERS.

Mr. Stevens moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Casey to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 251,

A bill for an act to amend section 4073 of the Revised Codes of the state of North Dakota of the Revision of 1905 being chapter 78 of the Session Laws of 1899, relating to the granting of alimony in divorce cases.

Have had the same under consideration and recommend that the same be amended as follows:

In line 18 of printed bill before the words "all property" insert the following: "For the purpose of this act;" change the capital "A" in "all" in said line 18 to a small "a;" strike out section 3.

And when so amended recommend the same do pass

Also,

House Bill No. 183,

A bill for an act to amend section 6 of chapter 141 of the Laws of 1905, being section 2218 of the Revised Codes of 1905, in relation to the inspection of oil.

And recommend that the same be amended as follows:

Amend the title of said act so that the same shall read as follows:

"A Bill for an Act to Amend Chapter 24 of the Laws of 1905, Being Sections 2213, 2218 and 2226, in Relation to Oil Inspection."

Strike out all after the enacting clause and substitute therefor the following:

"SECTION 1. Governor Appoints Inspector. Duties.] The governor shall, by and with the advice of the senate, appoint a suitable person, a citizen of this state who is not engaged directly or indirectly in the manufacturing, dealing, or vending of illuminating oils, whose title shall be 'state inspector of oils,' and whose term of office shall be two years, commencing on the first Tuesday in April succeeding his appointment, or until his successor shall be appointed and shall qualify, whose salary shall be as hereinafter stated. The said state inspector of oils and his deputies shall have the right and it shall be his duty to enter into or upon the premises of any manufacturer, dealer or vendor of illuminating oils or gasoline at any time for the inspection of such oils or gasoline, and all receptacles in which such oils are or may be contained. Such inspector shall receive an annual salary of two thousand five hundred dollars, payable monthly, which shall be in full for all his services; and each of said deputies shall receive an annual

salary of not less than one hundred dollars nor more than three hundred dollars, in the discretion of the inspector of oils. He shall make and file with the state auditor monthly statements under oath, of all fees collected under the provisions of this article, and pay the amount so collected to the state treasurer on or before the tenth day of each month, taking the state treasurer's receipt therefor, and file such receipt with the state auditor on or before the 15th day of each month; the money so received by the treasurer to be kept in a separate fund to be known as the 'oil inspection fund.'

"SEC. 6. Methods of Inspection.] It shall be the duty of the oil inspector or his deputies to examine and test or to have examined and tested within this state all oil and gasoline offered for sale by any manufacturer, vendor, or by any person or corporation in the state, as follows:

"For oil, all illuminating oil, a product of petroleum shall be inspected as follows:

"First. The color shall be water white when viewed by transmitted light through a layer of oil four inches long.

"Second. It shall not give a flash test below 105 degrees Fahrenheit, closed Elliott cup test; and it shall not have a fire test below 125 degrees Fahrenheit, tested in the Elliott cup open.

"Third. It shall not contain water nor tar-like matter, nor shall it contain more than a trace of any sulphur compound.

"Fourth. When 100 cubic centimeters of the oil are distilled from a side-necked distilling tank $2\frac{3}{4}$ inches in diameter, and with a neck $2\frac{1}{2}$ inches in length to the side-necked tube, said flask to be covered with a closely-adhering jacket of asbestos paper, shall not give more than 6 per cent of oil distilling at 310 degrees Fahrenheit; nor shall such oils contain more than 4 per cent of residum after being distilled at a temperature of 570 degrees Fahrenheit.

"Fifth. It shall not, in a photometric test, when burning under normal conditions, show a fall of more than 25 per cent in candle power in a test for not less than six nor more than eight hours duration.

"Sixth. The state oil inspector or his deputies shall draw at least two samples of each oil inspected, one quart sample of which shall be fully labeled, sealed, and reserved for the chemical and photometric test, and the said inspector or his deputies shall with the other sample determine the color, flash test, and the fire test, and if the said oil conforms to the requirements of this test he shall mark upon the package, barrel or cask containing the same 'passed,' giving the date of inspection, the name of the inspector or deputy; but such test shall not legalize the sale of said oil in the state of North Dakota unless the same conforms with the requirements of clauses 3, 4 and 5 of this section.

"If, upon examination and testing, such oil shall not meet the requirements as to color, flash and fire test, such oil shall be marked upon the package, barrel or cask 'rejected for illuminating purposes,' giving the date of such examination and the official signature of the inspector or deputy making such inspection. And it shall be unlawful for any person, persons or corporations to sell any such oil rejected for illuminating purposes for consumption in this state.

"Seventh. For gasoline: All gasoline offered for sale within this state shall be tested for gravity. All gasoline which shall test 68 degrees Baume or higher shall be branded or labeled 'approved for sale,' and shall be colored red, and it shall be unlawful for any firm or corporation to offer for sale or sell any other grade for stove or lighting purposes than 68 degrees (Baume) Eastern oil or 63 degrees (Baume) Western oil. All gasoline shall be so labeled or branded as to show its true gravity. All gasoline of whatever gravity shall be branded or labeled 'unsafe for illuminating purposes.' But this clause shall in no way be construed as preventing the sale of said gasoline for mechanical purposes, provided it has been inspected or labeled so as to show its true gravity. Provided, further, that every

tank, barrel, cask or receptacle in which gasoline shall be shipped into this state shall be truly, plainly and conspicuously branded or labeled.

"Eighth. The sample of oil reserved for chemical and photometric tests shall be immediately forwarded to the agricultural college and state university who are authorized to make and report to the state oil inspector the results of each examination or tests upon the said oils as submitted, and when the said tests clearly show the oil to be in violation of the provisions of this section this fact together with full data shall be certified to the attorney general.

"Ninth. Any citizen of the state may send to the agricultural college or state university for chemical and photometric tests any sample of oil which is believed to be in violation of this act, and the said sample, when taken and shipped in accordance with the printed instructions which shall be furnished by the agricultural college or state university, shall be examined and reported upon, and the said analyses shall be included in the biennial report to the governor.

"SEC. 9. It shall be the duty of the state inspector of oils or any of his deputies, or any person having cognizance of the violations of the provisions of this act, to forthwith make complaint to the attorney general of the offense alleged to have been committed, against the person or persons so offending, and it is hereby made the duty of the attorney general to represent and prosecute on behalf of the people of the state all cases of offenses arising under the provisions of this act. Any inspector who willfully refuses or neglects to carry out the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be removed from office.

"SEC. 10. Penalty.] It shall be unlawful for any person, firm or corporation, whether vendor, dealer or manufacturer, to use, sell, attempt to sell or deliver to any person in this state any of the illuminating oils or gasoline hereinbefore mentioned until the same shall have been inspected and passed according to the provisions of this act. It shall be unlawful for any person to falsely brand any package, barrel or cask or falsely certify to any tank car containing illuminating oil or gasoline for the purpose of deceiving the purchaser or inspector thereof in any manner as to the contents of the same. It shall be unlawful for any person to sell or dispose of any empty barrel, cask or package that has been used for illuminating oils or gasoline, and has been branded in accordance with the provisions of this act, before thoroughly canceling, removing or effacing the inspection brand on the same. It shall be unlawful for any person, firm or corporation to adulterate with paraffine or any substance, for the purpose of sale or use of any of the illuminating oils and gasoline specified in this act, in such manner as to render them unsafe for use; nor shall any person use, sell or offer for sale for illuminating purposes any oil or any gasoline which is in violation of any of the provisions of section 6 of this act. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to a penalty not exceeding one thousand dollars fine or imprisonment in the state penitentiary not exceeding one year, or both fine and imprisonment.

"SEC. 14. Ports of Entry.] All illuminating oils and gasoline when shipped into this state shall be inspected on entering the state, the following points being designated as ports of entry: Fairmount, Wahpeton, Fargo, Grand Forks, Hankinson, Oakes, Ellendale, Linton and Ardock. For making inspections other than at said points the inspector or his deputy shall be entitled, in addition to the fee prescribed, to actual traveling expenses, such expenses to be paid by the party for whom the inspection was made."

Also,

Amend the amendment in section 1 by striking out after "qualify:" "said inspector may appoint not more than eight deputy inspectors;" and inserting the following: "Said inspector shall appoint eight deputies and such addi-

tional deputies from time to time as may be necessary as new ports of entry are created; and one clerk, who shall also be a traveling deputy and have the same power as a deputy."

After the words "inspector of oils" add: "The clerk shall receive a salary of \$1,200 per annum."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, and all acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the schools, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, second subdivision, after the word "state," insert the following: "And to persons who are actual residents thereof."

And when so amended recommend the same do pass.

Also,

House Bill No. 193,

A bill for an act creating the office of state fire marshal: and providing for the appointment of state fire marshal: term: bond: removal: deputy and his duties: vacancies: duties of marshal in connection with other officers to investigate fires: notification of fire to marshal: record of fires: testimony under oath: arrest of suspected persons: deputy to summon and enforce attendance of witnesses: false swearing: contempt: power to enter buildings: investigation may be in private: right of marshal and other officers upon complaint to enter buildings for purposes of investigation: may order removal of inflammable or explosive material: penalty for noncompliance: sheriff or constable or witnesses, how paid: state fire marshal authorized to employ stenographer, salary of, office help, salary of: state fire marshal to be state chief of fire departments: duty of commissioner of insurance, governor and auditor: withholding funds: penalty for neglect of official duty: salaries of marshal and deputy: tax and insurance companies to defray expenses of department: itemized statement of expenses: annual report: marshal not to engage in mercantile business: compensation of various officers for reporting fires.

And recommend that the bill be indefinitely postponed.

Also,

House Bill No. 254,

A bill for an act amending section 926 of the Revised Codes of 1905 relating to the making of time deposits of the sinking fund, or other revenue of a city or school district.

And recommend that the same be amended as follows:

By striking out all of line 7 after the word "state," and the words "hundred dollars" in line 8, and insert in lieu thereof the words "three hundred dollars or more."

And when so amended recommend the same do pass.

Also,

House Bill No. 289,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

And recommend that the bill be indefinitely postponed.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

And recommend that the same be amended as follows:

In line 7, page 1 of the printed bill, after the word "funds" insert the words "or debts."

In line 16, page 2 of the printed bill, after the word "thereof" insert the words "and debts."

In line 19, page 2 of the printed bill, after the word "jointly" insert the following: "Or their just proportion of indebtedness owed."

In line 33, page 2 of the printed bill, after the words "owned property" insert the words "or owed debts."

And when so amended recommend the same do pass.

Also,

House Bill No. 100,

A bill for an act to amend section 1313 of the revised codes of North Dakota, relating to county fairs.

And recommend the same do pass.

Also,

House Bill No. 20,

A bill for an act to amend section 7459 of the Revised Codes for 1905, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

And recommend that the same be amended as follows:

In line 1 of title strike out "5848" and insert in lieu thereof "7459;" strike out "1895" in same line and insert in lieu thereof "1905." In line 2 of title strike out the following: "Being section 5848 of the Revised Codes of 1899."

In line 1 of section 1 strike out "5848" and insert in lieu thereof "7459." In line 2 of said section strike out "1895" and insert in lieu thereof "1905."

Strike out the following, beginning in line 2 of section 1: "Being section 5848 of the Revised Codes of North Dakota for 1899."

Strike out all of section 2.

And when so amended recommend the same do pass.

Also,

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

And recommend that the same be amended as follows:

In line 7 of the printed bill after the word "institution" insert the words "and seminaries;" and at the end of section 1 in line 11 of the printed bill after the word "profit" insert the following: "Also all churches and houses used exclusively for public worship and the lots and parts of lots upon which such churches and houses are erected."

On page 2, line 22, of the printed bill, after "hospitals" insert "under the control of religious or charitable societies."

And when so amended recommend the same do pass.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

And recommend that the same be amended as follows:

In lines 3 and 4, page 1 of the printed bill, strike out the words "and a constable within and for the county."

And when so amended recommend the same do pass.

Also,

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide

for reimbursing of the county from the estate of the patient for such care and treatment.

And recommend that the same be amended as follows:

Amend section 2: strike out proviso after "state" in line 5 of printed bill and insert in lieu thereof the following: "If the superintendent shall receive any money or goods for the purpose of furnishing extra attention and comfort to any patient he shall account for the same in an itemized statement to the board of trustees."

In section 3, line 4, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "ten;" and the figure "\$16" and insert in lieu thereof the figure "\$10;" and after the word "month" in the same line insert the following: "For residents of the state, provided, however, that all nonresidents shall pay the actual cost of care and treatment"

In section 10, line 6, of the printed bill, strike out the word "July" and after the word "January" add "April, July and October."

Strike out all of section 12 and change the numbering of the following sections accordingly.

In section 14 of the printed bill, in line 1 after the word "county," add the following: "Or the state of North Dakota." In the same section, in line 3, after the word "county," insert the following: "Or the state of North Dakota."

Add to the bill the following emergency clause: "Whereas, an emergency exists, therefore, this act shall take effect and be in force from and after its passage and approval."

Also,

After the word "treatment" insert "and to provide penalties for noninforcement of the provisions of this act."

And when so amended recommend the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1907.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 199,

A bill for an act entitled, an act to provide for organizing counties from the unorganized territory in this state.

Also,

Senate Bill No. 202,

A bill for an act to repeal sections 2297 to 2321, both inclusive, of the Revised Codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 28, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Also,

Senate Bill No. 289,

A bill for an act to amend section 2231 of the Revised Codes of North Dakota for 1905, relating to abstracters of title—bonds to be given.

Also,

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. White asked unanimous consent to amend the conference resolution.

There being no objection

Mr. White moved

That the word "four" be stricken out and the word "three" substituted.

Which motion prevailed, and

The amendment was adopted.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Was read the first and second times, and

Referred to the committee on insurance.

Also,

Senate Bill No. 110,

A bill for an act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors; and to repeal section 9395 of the Revised Codes of 1905, being chapter 39 of the Session Laws of 1903.

Was read the first and second times, and

Referred to the committee on temperance.

Also,

Senate Bill No. 259,

A bill for an act to amend and re-enact sections 4639-4658 and 4662 of chapter 21, of the Revised Codes of 1905, relating to banking corporations.

Was read the first and second times, and

Referred to the committee on banking.

Also,

Senate Bill No. 199,

A bill for an act entitled, an act to provide for organizing counties from the unorganized territory in this state.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Also,

Senate Bill No. 289,

A bill for an act to amend section 2231 of the Revised

Codes of North Dakota for 1905, relating to abstractors of title—bonds to be given.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 202,

A bill for an act to repeal sections 2297 to 2321, both inclusive, of the Revised Codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Also,

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 66,

A bill for an act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and providing for the care, treatment, parole and release of such persons, and prescribing the duties of officials in connection therewith.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 282,

A bill for an act to establish regular sessions for state board of railway commissioners and fixing the time, manner, and place, where such sessions shall be held, and oth-

erwise defining their powers, and duties; also defining the duties of the attorney general in relation thereto.

Was read the first and second times, and
Referred to the committee on railroads.

Also,

Senate Bill No. 287,

A bill for an act to amend section 183 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Was read the first and second times, and
Referred to the committee on school and public lands.

Also,

Senate Bill No. 302,

A Concurrent Resolution for an amendment to the constitution, relating to the sale of school lands.

Was read the first and second times, and
Referred to the committee on school and public lands.

Also,

Senate Bill No. 131,

A bill for an act to amend section 1597 of the Revised Code of 1905 of the state of North Dakota, relative to duty of county auditor.

Was read the first and second times, and
Referred to the committee on state affairs.

Also,

Senate Bill No. 278,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Was read the first and second times, and
Referred to the committee on municipal corporations.

Also,

Senate Bill No. 248,

A bill for an act to amend section 6146 of the Revised Codes of 1905 of the state of North Dakota, relating to extinction of liens.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Was read the first and second times, and

Referred to the committee on public health.

Also,

Senate Bill No. 281,

A bill for an act entitled an act to provide for the vacation of alleys in cemeteries owned by cemetery corporations.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Also,

Senate Bill No. 247,

A bill for an act to amend section 7598 of the Code of 1905, relating to the law of eminent domain.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 263,

A bill for an act prohibiting servants and employees on sleeping cars and dining cars from accepting gratuities or tips, and prohibiting persons giving gratuities or tips.

Was read the first and second times, and

Referred to the committee on ways and means.

Also,

Senate Bill No. 226,

A bill for an act for paroling inmates of the reform school.

Was read the first and second times, and

Referred to committee on school and public lands.

Also,

Senate Bill No. 296,

A bill for a concurrent resolution to amend section 182 of the Constitution of the state of North Dakota, relating to a public debt and public works.

Was read the first and second times, and

Referred to the committee on ways and means.

Also,

Senate Bill No. 295,

A bill for an act to amend section 8983 of the Revised Codes of 1905.

Was read the first and second times, and

Referred to the committee on temperance.

Also,

Senate Bill No. 167,

A bill for an act to amend section 2245 relating to license. How obtained. Fee, how determined.

Was read the first and second times, and

Referred to the committee on warehouses and grain grading.

STATE OF NORTH DAKOTA,

DEPARTMENT OF STATE,

February 28, 1907.

P. D. Norton, Chief Clerk, House of Representatives:

SIR: Pursuant to concurrent resolution offered by Mr. Buttz, being a memorial to congress for constitutional amendment, I have this day transmitted the copies as directed therein.

Very respectfully,

ALFRED BLAISDELL,

Secretary of State.

The speaker administered the oath of office to James L. Griffith as clerk.

On request of Mr. Sorley of Grand Forks the privileges of the floor were extended to Hon. Tracy R. Bangs of that place.

On request of Mr. Halaas the privileges of the floor were extended to Mr. O. T. Hart of McHenry.

There being no objections the privileges of the floor were extended to Messrs. Crowl, Quinlavin, Ransland, Lillibridge, Fry, Cuskelly and White.

Mr. Stevens moved

That the house do now take a recess until 10 o'clock a. m. tomorrow morning.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow.

P. D. NORTON,

Chief Clerk.

FIFTY-SECOND DAY—AFTER RECESS
AND
FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

THIRD READING OF HOUSE BILLS.

House Bill No. 234,

A bill for an act to amend section 9358 of the Revised Codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said Codes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 55, nays 32, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blegen
Burdick

Messrs.—

Hallick
Haugen
Hemmingsen
Hosford
Johnson of Ward
Jones of Ransom

Messrs.—

Restemayer
Rohs of Morton
Sorley of Grand Forks
Sorlie of Trail
Stavens
Steen

Messrs.—	Messrs.—	Messrs.—
Burgum	Law	Storey
Buttz	Martin of Billings	Swendseid
Carter	Midgarden	Syverson
Casey	Miller	Tofsrud
Chapman	Moore	Tufte
Church	Nelson of Steele	Ueland
Cunningham	Nelson of Traill	Walker
Dean	Oveson	Watts
Evans	Peake	Wedge
Ganssle	Piper	Welford
Garden	Pugh	White
Graham	Purdon	Mr. Speaker
Grant		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Halaas	Plath
Blake	Hanawalt	Putnam
Brotnov	Hanson	Rose of Dickey
Connolly	Jensen	Simpson
Dibley	Johnson of Pembina	Sinclair
Duncan	Johnson of Sargent	Stevens
Elhard	Jones of Barnes	Streeter
Flamer	Mathews	Thoreson
Freeman	Monek	Treat
Gibbens	Morin	Wake
Griffith	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Murphy
Brodie	Martin of Morton	Schlenker
Collins	McDowall	Shannafelt
Crawford	Mockler	Shirley
Giedt		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Pugh moved

That the vote by which House Bill No. 234 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 233,

A bill for an act entitled, An act making the use of any store, house, shop or other building or any basement or room therein or any lot, block or other parcel of land situate within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any

such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 7, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hanson	Rose of Dickey
Brotnov	Haugen	Syverson
Burdick	Hemmingsen	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Swendseid
Connolly	Law	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Monek	Tufte
Dibley	Moore	Wake
Duncan	Morin	Walker
Elhard	Murphy	Watts
Flamer	Nelson of Steele	Wedge
Freeman	Nelson of Traill	Welford
Ganssle	Oveson	White
Garden	Parkhill	Mr. Speaker
Gibbens	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hosford	Rohs of Morton	Stevens
Martin of Billings	Simpson	Streeter
Mathews		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Schlenker
Brodie	Martin of Morton	Shannafelt
Collins	McDowall	Shirley
Evans	Mockler	Ueland
Giedt	Murphy	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 233 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 96,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 55, nays 31, absent and not voting 13, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Parkhill
Anderson, Grand F'rks	Hallick	Peake
Anderson, Bernt	Hanawalt	Piper
Anderson, O. P. N.	Hanson	Plath
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rose of Dickey
Blegen	Hosford	Sinclair
Brotnov	Jensen	Sorlie of Traill
Burdick	Johnson of Pembina	Stavens
Burgum	Jones of Barnes	Stevens
Casey	Law	Swendseid
Crawford	Midgarden	Treat
Dibley	Monek	Tufte
Duncan	Moore	Ueland
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Grant		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buttz	Johnson of Ward	Sorley of Grand Forks
Carter	Jones of Ransom	Steen
Chapman	Martin of Billings	Storey
Church	Mathews	Streeter
Cunningham	Miller	Syvertson
Dean	Mockler	Thoreson
Elhard	Pugh	Tofsrud
Garden	Purdon	Wake
Graham	Rohs of Morton	Wedge
Griffith	Simpson	Welford
Johnson of Sargent		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Murphy
Brodie	Hankinson	Schlenker
Collins	Martin of Morton	Shannafelt
Connolly	McDowall	Shirley
Evans		

Messrs. Shannafelt and Shirley being excused.

Mr. Putnam passed.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 96 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 218.

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to terms of office of township officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 11, absent and not voting 13, passed 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Pugh
Anderson, Grand F'rks	Hanson	Purdon
Anderson, Bernt	Haugen	Putnam
Anderson, O. P. N.	Hemmingsen	Rohs of Morton
Andrus	Hosford	Rose of Dickey
Blegen	Jensen	Simpson
Brotnov	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Casey	Law	Stevens
Chapman	Martin of Billings	Storey
Church	Mathews	Streeter
Connolly	Midgarden	Swendseid
Crawford	Miller	Syverson
Cunningham	Mockler	Thoreson
Dibley	Moore	Tofsrud
Duncan	Morin	Treat
Elhard	Nelson of Steele	Tufte
Evans	Nelson of Traill	Wake
Garden	Oveson	Wedge
Gibbens	Parkhill	Welford
Graham	Peake	White
Grant	Piper	Mr. Speaker
Griffith	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Ganssle	Ueland
Dean	Hallick	Walker
Flamer	Monek	Watts
Freeman	Restemayer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Jones of Ransom	Schlenker
Brodie	Martin of Morton	Shannafelt
Collins	McDowall	Shirley
Giedt	Murphy	Sorlie of Traill
Hankinson		

Messrs. Burgum and Halaas passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Bernt Anderson moved

That the vote by which House Bill No. 218 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Was read the third time.

Mr. Tufte asked unanimous consent to offer an amendment to House Bill No. 98.

There being no objection

Mr. Tufte moved that House Bill No. 98 be amended as follows:

After "1905" in the enacting clause of the engrossed bill strike out the words "to read as follows" and insert in lieu thereof the following: "Relating to premiums and liabilities of insurance."

Also, amend by inserting after the words "section 1" and before the word "premium" the following: "That section 4440 of the Revised Codes of North Dakota for 1905 be amended to read as follows:"

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 79, nays 10, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Putnam
Adams	Griffith	Restemayer
Anderson, Grand F'rks	Halaas	Rohs of Morton
Anderson, Bernt	Hallick	Rose of Dickey
Andrus	Hanawalt	Simpson
Blegen	Hanson	Sinclair
Brotnov	Haugen	Sorley of Grand Forks
Burdick	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Casey	Johnson of Ward	Storey
Chapman	Jones of Ransom	Streeter
Church	Martin of Billings	Swendseid
Crawford	Mathews	Syvertson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Dibley	Monek	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake

Messrs.—	Messrs.—	Messrs.—
Evans	Nelson of Traill	Walker
Flamer	Nelson of Steele	Watts
Freeman	Oveson	Wedge
Gaussle	Piper	Welford
Garden	Plath	White
Gibbens	Pugh	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Jones of Barnes	Peake
Blake	Law	Purdon
Connolly	Mockler	Thoreson
Johnson of Sargent		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Schlenker
Collins	McDowall	Shannafelt
Giedt	Murphy	Shirley
Hankinson	Parkhill	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 98 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 80, nays 3, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Purdon
Adams	Hallick	Putnam
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, Bernt	Hanson	Rohs of Morton
Anderson, O. P. N.,	Hemmingsen	Rose of Dickey
Andrus	Hosford	Simpson
Blegen	Jensen	Sinclair
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Burdick	Johnson of Sargent	Sorlie of Traill

Messrs.—	Messrs.—	Messrs.—
Burgum	Johnson of Ward	Stavens
Buttz	Jones of Ransom	Stevens
Carter	Law	Storey
Church	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	Midgarden	Syvertson
Cunningham	Mockler	Thoreson
Dean	Monek	Treat
Dibley	Moore	Tufte
Duncan	Murphy	Ueland
Elhard	Nelson of Steele	Wake
Evans	Nelson of Traill	Walker
Flamer	Oveson	Watts
Freeman	Parkhill	Wedge
Garden	Peake	Welford
Gibbens	Piper	White
Graham	Plath	Mr. Speaker
Grant	Pugh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Ganssle	Tofsrud

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hankinson	Morin
Casey	Haugen	Schlenker
Chapman	Jones of Barnes	Shannafelt
Collins	Martin of Morton	Shirley
Giedt	McDowall	Steen
Griffith	Miller	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which House Bill No. 151 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand F'rks	Hallick	Putnam

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blegen	Hemmingsen	Simpson
Brotnov	Hosford	Sinclair
Burdick	Jensen	Sorley of Grand Forks
Burgum	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Connolly	Law	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Syverson
Dean	Midgarden	Tofsrud
Dibley	Miller	Thoreson
Duncan	Monek	Treat
Elhard	Moore	Tufte
Evans	Morin	Ueland
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Ganssle	Oveson	Wedge
Garden	Parkhill	Welford
Gibbens	Peake	White
Graham	Piper	Mr. Speaker
Grant	Plath	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Schlenker
Buttz	McDowall	Shannafelt
Collins	Mockler	Shirley
Giedt	Murphy	Wake
Hankinson		

Mr Blake voting in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Oveson moved

That the vote by which House Bill No. 33 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 184,

A bill for an act to amend section 2245 of the Revised Codes of 1905, relating to the license of grain warehouses.
Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Simpson
Brotnov	Hosford	Sinclair
Burdick	Jensen	Sorley of Grand Forks
Burgum	Johnson of Pembina	Sorlie of Trail
Buttz	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Connolly	Martin of Billings	Syvertson
Crawford	Mathews	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Dibley	Mockler	Tufte
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Garden	Parkhill	White
Gibbens	Peake	Mr. Speaker
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Shannafelt
Collins	McDowall	Shirley
Giedt	Murphy	Swendseid
Hankinson	Schlenker	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Steen moved

That the vote by which House Bill No. 184 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 163,

A bill for an act to amend sections 4305 and 4306 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 21, nays 66, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Cunningham	Oveson
Adams	Duncan	Parkhill
Anderson, Grand F'rks	Halaas	Piper
Anderson, Bernt	Hanawalt	Plath
Blegen	Hemmingsen	Rose of Dickey
Brotnov	Mathews	Sorlie of Traill
Casey	Moore	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Griffith	Putnam
Andrus	Hallick	Restemayer
Blake	Hanson	Rohs of Morton
Burdick	Haugen	Simpson
Burgum	Hosford	Sinclair
Buttz	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Connolly	Jones of Ransom	Streeter
Crawford	Jones of Barnes	Swendseid
Dean	Law	Syverson
Dibley	Martin of Billings	Thoreson
Elhard	Midgarden	Tofsrud
Evans	Miller	Treat
Flamer	Mockler	Tufte
Freeman	Monek	Wake
Ganssle	Morin	Walker
Garden	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Graham	Peake	Welford
Grant	Purdon	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	McDowall	Shannafelt
Collins	Murphy	Shirley
Giedt	Pugh	Stavens
Hankinson	Schlenker	Ueland
Martin of Morton		

Messrs. Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Stevens moved

That the vote by which House Bill No. 163 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the gar-

nishment proceedings in the action in which the change of venue is obtained.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Graham	Parkhill
Aaker	Grant	Peake
Adams	Griffith	Purdon
Anderson, Grand F'rks	Halaas	Putnam
Anderson, Bernt	Hanawalt	Restemayer
Anderson, O. P. N.	Hallick	Rohs of Morton
Blake	Hanson	Rose of Dickey
Blegen	Haugen	Simpson
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Sinclair
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Steen
Church	Jones of Parnes	Storey
Connolly	Jones of Ransom	Streeter
Crawford	Law	Swendseid
Cunningham	Mathews	Syvertson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Nelson of Steele	Welford
Garden	Oveson	White
Gibbens	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Schlenker
Casey	McDowall	Shannafelt
Collins	Murphy	Shirley
Gledt	Plath	Thoreson
Hankinson	Pugh	Ueland
Martin of Morton		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Grant moved

That the vote by which House Bill No. 290 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. White introduced

House bill No. 342,

A bill for an act to amend section 367 of the Revised Codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

Which was read the first and second times, and
Referred to the committee of the whole.

Mr. Rose introduced

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Which was read the first and second times, and
Referred to the committee of the whole.

Mr. Stevens moved that House Bills No. 342 and No. 343 be not printed.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house do concur in Senate Concurrent Resolution relating to the creation of a department of mines.

Which motion prevailed, and

The concurrent resolution was adopted.

The privileges of the floor were extended to Messrs. A. O. Anderson, Henry Hale, Jas. Kelley, A. J. Hunter, C. A. Dodza, Karl Adams, John Scheer, Gore, Sarver, Pierce, Froemke, Maddux, Mattson and Oriska.

Mr. Haugen moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Shannafelt and Shirley who were excused.

The speaker appointed as conference committee on House Bill No. 18, Messrs. White, Griffith and Pugh.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fiftieth day after recess have carefully examined the same and recommend that the same be corrected as follows:

Page 14, after line 11 insert the words "Mr. Peake moved;" also after line 38 insert the words "Mr. Peake moved."

Page 15, after line 11 insert the words "Mr. Peake moved."

Page 17, after the word "furniture" in line 11, insert the following: "And maintenance of school for two years beginning January 1, 1907, for the North Dakota academy of science located at Wahpeton, North Dakota."

Page 23, line 22, change word "senate" to "house."

Page 24, line 33, change word "senate" to "house." Same page, line 34, change figures "2979" to "1539."

Strike out all of line 35 after figures "1905" and all of line 36, and insert in lieu thereof the following: "Relating to the levy, collection and expenditure of road tax."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Also,

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Also,

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Also,

House Bill No. 292,

A bill for an act to amend section 9202 of chapter 50 of

the Revised Codes of 1905 for the state of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

Also,

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Also,

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Also,

House Bill No. 306,

A bill for an act to amend sections 615 and 616 of the Revised Codes of 1905, relating to ballots to be used at general elections.

Also,

House Bill No. 322,

A bill for an act to amend section 7045 of the Revised Codes of North Dakota of 1905 relating to when another judge may be called in for prejudice or bias.

Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Also,

House Bill No. 326,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Also,

House bill No. 20,

A bill for an act to amend section 5848 of the revised codes for 1895, being section 5848 of the revised codes of 1899, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on county and county boundaries made the following report:

Mr. Speaker:

You committee on county and county boundaries to whom was referred

Hous Bill No. 327,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

The committee on education made the following report:
Mr. Speaker:

Your committee on education to whom was referred
Senate Bill No. 162,

A bill for an act to amend section 894 of the Revised
Codes of 1905, relating to education.

Have had the same under consideration and recommend
that the same do pass.

T. D. CASEY,
Chairman.

Mr. Casey moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,
Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819,
836, 847, 879, 892, 912 of the Revised Codes of 1905, relating
to education.

Have had the same under consideration and recommend
that the same be amended as follows:

By striking out all of section 7 after the word "suspension," in line 10
of page 6 of the printed bill, and that an emergency clause as follows, be
attached: "Whereas there is an emergency in this: that certain schools are
to be erected under the provisions of this law immediately, therefore, this
act shall take effect immediately after its passage and approval."

And when so amended recommend the same do pass.

T. D. CASEY,
Chairman.

The committee on ways and means made the following
report:

Mr. Speaker:

Your committee on ways and means to whom was re-
ferred

Senate Bill No. 263,

A bill for an act prohibiting servants and employees on
sleeping cars and dining cars from accepting gratuities
or tips, and prohibiting persons giving gratuities or tips.

Have had the same under consideration and recommend that the same do pass.

K. O. BROTNOV,
Chairman.

Mr. Brotnov moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 296,

A bill for a concurrent resolution to amend section 182 of the Constitution of the state of North Dakota, relating to a public debt and public works.

Have had the same under consideration and recommend that the same do pass.

K. O. BROTNOV,
Chairman.

Mr. Brotnov moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

A majority of your committee on appropriations to whom was referred

House Bill No. 229,

A bill for an act to establish and permanently fix the state fair at Devils Lake, in Ramsey county, North Dakota, making appropriation therefor, and to repeal sections 1306 and 1307 of the Revised Codes of the state of North Dakota for the year 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

A minority of your committee on appropriations to whom was referred

House Bill No. 229,

A bill for an act to establish and permanently fix the state fair at Devils Lake, in Ramsey county, North Dakota,

making appropriation therefor, and to repeal sections 1306 and 1307 of the Revised Codes of the state of North Dakota for the year 1905.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON.

R. N. STEVENS.

The committee on temperance made the following report:
Mr. Speaker:

Your committee on temperance to whom was referred

Senate Bill No. 295,

A bill for an act to amend section 8983 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,

Chairman.

Mr. Haugen moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 110,

A bill for an act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors; and to repeal section 9395 of the Revised Codes of 1905, being chapter 39 of the Session Laws of 1903.

Have had the same under consideration and recommend that the same do pass.

ARNE P. HAUGEN,

Chairman.

Mr. Haugen moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 249,

A bill for an act to amend section 2928 of the Revised Codes of the state of North Dakota for 1905, relating to establishing permanent corners in cities and towns.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 278,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 72,

A bill for an act defining pools and trusts and providing the penalties and remedies therefor.

Also,

Senate Bill No. 276,

A bill for an act relating to liability of common carriers to their employes.

Also,

Senate Bill No. 293,

A bill for an act to amend section 394 of chapter 5 of the Political Code of the Revised Codes of 1905 for North Dakota, relative to verified claims against the state.

Also,

Senate Bill No. 320,

A bill for an act to amend sections 1077, 1078, 1079, 1082, 1084, 1085, 1086, 1087, and 1090 of the Revised Codes of North Dakota of 1905, relative to the state normal schools at Valley City and Mayville.

Also,

Senate Bill No. 221,

A bill for an act entitled an act concerning artesian wells and the regulation and acquirement of rights to the use of water therefrom.

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing section 1283 of the Revised Codes of the state of North Dakota of 1905.

Which the senate has passed and your favorable consideration is respectfully requested.

Also,

House Bill No. 252,

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Which the senate has indefinitely postponed.

Very respectfully

J. W. FOLEY,
Secretary.

MOTIONS AND RESOLUTIONS.

Mr. Sorley of Grand Forks moved

That the house concur in the senate resolution relating to final proof of settlers.

Which motion prevailed, and

The resolution was concurred in.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 17,

A bill for an act entitled: "An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto."

Also,

Senate Bill No. 18,

A bill for an act appropriating money for the enforcement of the food law, drug law, formaldehyde and Paris green laws, and the paint law. Also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.

Also,

Senate Bill No. 39,

A bill for an act to provide for making needed permanent improvements for the school for the deaf at Devils Lake, and making an appropriation therefor.

Also,

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Also,

Senate Bill No. 84,

A bill for an act making an appropriation for the completion of the buildings of the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Also,

Senate Bill No. 101,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Also,

Senate Bill No. 117,

A bill for an act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of the North Dakota agricultural college.

Also,

Senate Bill No. 108,

A bill for an act to provide an appropriation for the current and contingent expenses and for permanent improvements of the institution for the feeble minded at Grafton.

Also,

Senate Bill No. 133.

A bill for an act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Also,

Senate Bill No. 207,

A bill for an act creating a state library commission, defining its duties and providing an appropriation for its maintenance.

Also,

Senate Bill No. 285,

A bill for an act to foster the development of mineral and allied industries by providing for experimentation, encouragement and inspection and by making an appropriation therefor.

Also,

Senate Bill No. 88,

A bill for an act to provide a site for the statue of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Also,

Senate Bill No. 105,

A bill for an act making an appropriation for the erection

of a building and greenhouse for the school of forestry located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Also,

Senate Bill No. 268,

A bill for an act making an appropriation to pay for certain books for the state law library.

Also,

Senate Bill No. 270,

A bill for an act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Also,

Senate Bill No. 301,

A bill for a joint resolution authorizing the state auditing board, in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices and authorizing an appropriation for the payment thereof.

And the speaker signed the same in the presence of the house.

GENERAL ORDERS.

Mr. Ueland moved

Moved that the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself in a committee of the whole.

The speaker called Mr. Treat to the chair

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 87,

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

And recommend that this bill be made a special order at 10 o'clock tomorrow morning in the committee of the whole.

House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

And recommend that the same be amended as follows:

The bill to be changed to read as follows:

"For an act providing to provide for the erection of suitable enclosures and workhouses in which to work and confine prisoners sentenced to hard labor in counties having a population of five thousand or more inhabitants."

Strike out all up to and including the word "of" in line 1, section 1, and between the words "board" and "county" of same line insert the word "of."

In line 2 change the word "all" to "any" and the word "counties" to "county."

In line 3 change the word "ten" to "five," the word "to" to "may," and after the word "workhouse" in same line add the words "or enclosure."

Strike out the word "and" between "tools" and "materials" in line 7; and to the bill add the following: "And the necessary guards to superintend the work and prevent the escape of said convicts. The sheriff of the county to have full control and care of said work and convicts."

And when so amended recommend the same do pass.

Also,

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

And recommend that the same be amended as follows:

Amend the title by striking out the figures "5" and "6" in the title and substitute therefor the figures "7608" and "7609;" also strike out the words "irrigation code of this, state approved March 1" and substitute therefor "Revised Codes of 1905."

Amend section 1 by striking out the figures "5" and "6" and substitute therefor the figures "7608" and "7609." Strike out the words "irrigation code of this state" and substitute therefor "Revised Codes of 1905."

Strike out the figure "5" in line 3, section 5, and substitute therefor the figures "7608." In line 9, after the word "qualified" insert the following: "He shall not engage in private practice."

In line 28, section 7608 as amended, strike out "he shall not engage in private practice" and insert the following: "Whenever the board of university and school lands shall request the state engineer to investigate any particular piece of land granted to the state under the enabling act for the purpose of determining whether or not it is coal-bearing within the meaning of the constitution, it shall be his duty to do so and report his conclusions and the basis on which they are founded to said board; but in making such investigations and reports he shall, whenever practicable, call to his assistance and consult with the dean of the school of mines (College of Mining Engineering) and the professor of geology at the agricultural college."

Strike out the figure "6" in line 29 and insert the number "7608."

In line 1 of the emergency clause strike out the following: "Section 2."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 114,

A bill for an act entitled, An act to amend section 10,381 of the Revised Code of 1905, relating to the manner of disposing of the product of the state binder twine plant and prescribing duties of accounting officer."

And recommend that the same be amended as follows:

Add to the title the words "and prescribing duties of accounting officer."
Amend by adding the following:

"SEC. 2. That section 10382 of the Revised Codes of North Dakota for 1905 be amended to read as follows:

"Sec. 10382. Duty of Accounting Officer.] It shall be the duty of the warden of the state penitentiary to keep a true and accurate account of all notes, evidences of indebtedness and money received by him for the sale of the product of said plant, and at the end of each month to turn all money so received over to the state treasurer and take his receipt therefor, and he shall at the same time furnish the state auditor with a statement showing the amount of same and the source from which it came; and all sums so placed in the hands of the state treasurer, arising from sales of the product of said plant, shall be placed to the credit of the 'operating fund' hereinbefore mentioned and referred to. On the failure of the warden to carry out any of the provisions hereof he shall be subject to a fine of not less than one hundred dollars or more than five hundred dollars."

And when so amended recommend the same do pass.

Also,

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

And recommend that the same be amended as follows:

In section 5, in line 8, of the printed bill, after the word "paid" insert the following words: "To be three per cent," and strike out lines 18 and 19 of the printed bill.

In section 14 change "sections 236, 237, 238, 239, Revised Codes of 1899" to "sections 231, 232, 233 and 234, Revised Codes of 1905."

Amend section 2, line 2, of the printed bill, by inserting after the word "bond" the words "or bonds;" and by striking out the figures "\$250,000" and inserting in lieu thereof "\$500.00."

And when so amended recommend the same do pass.

Also,

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

And recommend that the same be amended as follows:

In line 6 of section 1 strike out the following: "Within thirty days after the sale on such foreclosure" and insert in lieu thereof the following: "Prior to May 1st, 1907."

And when so amended recommend the same do pass.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

And recommend that the same be amended as follows:

In title strike out the word "profane."

In line 1 of section 1 after the word "obscene" add the word "or."

In line 2 of section 1 strike out the words "or profane."

And when so amended recommend the same do pass.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380 of the Revised Codes of 1905 relating to the locating and building of bridges.

And recommend that the same be amended as follows:

Amend the title by striking out, after the figures "1905" the words "to read as follows" and insert in lieu thereof the following: "Relating to locating and building of bridges."

After the enacting clause insert the following:

"SECTION 1. That sections 1378 and 1380 of the Revised Codes of 1905 be amended to read as follows:"

After the word "commissioners," in line 10, section 1380, of the printed bill, insert the following: "Provided, however, that should an emergency arise, requiring the immediate rebuilding or repairing of any bridges, the board of county commissioners are hereby authorized to rebuild or repair, as the circumstance requires, and without advertising for bids, in case said work can be performed by a responsible party, at a price not to exceed the last bid accepted by said board of county commissioners for like work."

"Whereas an emergency exists, therefore, this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

And recommend that the same be amended as follows:

After the word "collected," in line 13, section 2596, strike out all and insert the following:

"And in counties having a population of less than fifteen thousand, to be ascertained as hereinafter provided, such amount so paid such register of deeds for salary and clerk hire shall not exceed the sum of five thousand dollars; and in counties having a population of more than fifteen thousand and less than twenty-five thousand, to be ascertained as hereinafter provided, such amount so paid to such register of deeds for salary and clerk hire shall not exceed the sum of seven thousand five hundred dollars; and in counties having a population of more than twenty-five thousand, to be

ascertained as hereinafter provided, such amount so paid to such register of deeds for salary and clerk hire shall not exceed the sum of seventeen thousand five hundred dollars; provided, however, that all moneys received for compiling or the continuation of abstracts of title shall be turned over to the county treasurer, who shall credit the same to the county general fund. Such population shall be ascertained by taking the total number of votes cast for the office of governor at the last presidential election in said county and multiplying the same by five. Any officer who shall receive and appropriate to his own use and benefit any part of the salary allowed to any such clerk or deputy shall be guilty of a misdemeanor.

SEC. 2. Emergency.) Whereas, an emergency exists, in that there is now under our present law not sufficient clerk hire permitted for the prompt and accurate dispatch of business in the office of the register of deeds in some counties in the state, this act shall take effect immediately upon its passage and approval.

And when so amended recommend the same do pass.

Also,

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

And recommend that the same do pass.

Also,

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

And recommend that the same be amended as follows:

In line 3 of section 2 strike out the word "correctness" and insert in lieu thereof the word "incorrectness."

In line 3 of section 2 strike out the word "validity" and insert in lieu thereof the word "invalidity."

And when so amended recommend the same do pass.

Also,

House Bill No. 305,

A concurrent resolution to amend section 217 of the Constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

And recommend that the same do pass.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

And recommend that the same be amended as follows:

On page 2 of the printed bill in line 10, after the figure "1905," add "provided that when the report of any operator of a coal mine in this state shows that the output of his mine has not been more than 500 tons of coal for the year, the \$5.00 paid as license shall be returned to such operator."

Also, strike out the emergency clause.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

And recommend the following as a substitute therefor:

A bill for an act regulating public printing and binding, and prescribing the duties of public boards and officials in relation thereto.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. Section 2282 of the Revised Codes of 1905 is hereby amended to read as follows:

Sec. 2282. All state, county and other public printing, binding and blank book manufacturing, blanks and other printed stationery shall be done only by established and qualified printing and publishing houses that shall have been established and in continuous business in this state not less than one year, except as in this section otherwise provided, and where practicable shall be awarded to established institutions in the county for which such printing is required; provided, that the rates charged for such printing, binding, blanks and other supplies shall not exceed more than fifteen per cent the sum or sums the same class and quality of work can be secured for from publishing houses outside the state. In case any board or official empowered to secure public printing and binding as provided herein shall ascertain that there exists any combination, agreement or understanding by and between two or more publishers or publishing houses in this state, directly or indirectly fixing the prices to be charged for the printing mentioned in this section, or where prices in excess of the maximum rates prescribed herein are charged, then and in that event the provisions of this section shall not apply and officers and boards empowered to secure public printing in relation to which any such combination, agreement or understanding as mentioned herein exists from publishing houses outside the state. Every voucher for public printing and binding mentioned in this section shall have thereon or attached thereto a duly verified affidavit setting forth that the prices charged are reasonable and just and in accordance with law; that no agreement, combination or understanding exists with any other person, firm or corporation engaged in the printing and publishing business, fixing the charges therein for such printing and binding, and that no agreement or understanding exists by which a division of any portion of the amounts charged has been or is to be made, either directly or indirectly, with any board, or member thereof or any person or official authorized or empowered to secure public printing mentioned in this section. Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 2. Whereas an emergency exists in that there is now no adequate

law covering the provisions of this act, therefore this act shall take effect from and after its passage and approval.

And recommend that the substitute do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

There being no objections the house returned to the 12th order of business.

Mr. Buttz moved

That we concur in senate amendment of House Bill No. 28.

Which motion prevailed, and

The house concurred in the senate amendment.

Mr. Buttz moved

That the rules be suspended and House Bill No. 28 be placed on its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

Which the senate has passed unchanged.

Also,

The following concurrent resolution:

WHEREAS, The present laws upon the question of taxation appear to be inadequate; and

WHEREAS, The revenues of the state are not sufficient to meet the increased demands made upon the treasury; and

WHEREAS, There has not been time enough at this session to prepare a comprehensive tax law; therefore, be it

Resolved by the House of Representatives, the Senate Concurring, That the governor, state auditor and attorney general are hereby constituted a commission for the purpose of preparing a thoroughly comprehensive and adequate revenue and taxation law and report the same to the next legislative session.

Also,

House Bill No. 227,

A bill for an act to amend section 2441 Revised Codes of 1905, relating to designation of county depositories.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 240,

A bill for an act to divide the state of North Dakota into two congressional districts, and defining the boundaries of each of said congressional districts in North Dakota.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, There is to be held near Jamestown, Virginia, during the current year, a world's fair or exposition, commonly known as the Jamestown Tri-Centennial Exposition, commemorative of the three hundredth anniversary of the landing of the founders of this republic in that part thereof which includes the states of Maryland and Virginia; and

WHEREAS, The legislative assembly has not seen fit to make provision whereby the state of North Dakota might participate in such exposition, or provide an exhibit of its resources thereat; and

WHEREAS, Charles A. Everhart, a patriotic and public-spirited former resident of the state of North Dakota, has upon his own responsibility and at his own expense, procured a site and erected a building upon the grounds of said exposition for the use and entertainment of the citizens of North Dakota visiting such exposition, and for the display and exhibit thereof of such of the products and industries of the state as the citizens thereof might see fit to display and exhibit thereat; now, therefore, be it

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, That the said Charles A. Everhart, in recognition of his public-spirited and unselfish acts in connection therewith, is hereby appointed and constituted the official representative and commissioner of the people of the state of North Dakota at the said Jamestown Tri-Centennial Exposition; the governor is authorized to commission him as such, and as such he is hereby authorized to accept and receive any and all articles of value or exhibits which may be loaned, donated or transmitted to him by private or public persons and corporations, for display and exhibit at such exposition, and to account for the same in such manner as the contributors thereof may direct. Further

Resolved, That the governor be, and he is hereby, authorized and requested to transmit, and to cause to be transmitted, to said Charles A. Everhart, commissioner, for exhibit and display, such articles illustrative of the resources and industries of the state of North Dakota as are now in and about the capitol building at Bismarck, or any of the public institutions of the state of North Dakota, and not otherwise needed during the time in the work of the department of agriculture and labor, upon the filing of a bond to be approved by him, conditioned for the safe return of such articles, and that the cost of shipment and trans-shipment thereof should be audited and paid out of the general fund of the state. Further

Resolved, That the thanks of the legislative assembly is due and is hereby tendered to the said Charles A. Everhart for the provision made by him for the entertainment of the citizens of North Dakota visiting such exposition and for the facilities thus furnished for the display of her products and industries thereat.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 290,

A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D. 1905, relating to judicial districts within the state.

Also,

Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith.

Senate Bill No. 308,

A bill for an act to amend sections 8289, 8292, 8295, 8304, 8311, 8316, and 8318 of the Revised Codes of North Dakota for 1905.

Which the senate has passed and your favorable consideration is respectfully requested.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Which the senate has amended as follows:

That the words and figures "five thousand (5,000)" as they appear in the third line of the engrossed bill be stricken out and the following inserted: "Seven thousand five hundred (7,500)."

And passed as amended.

Also,

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Which the senate has amended as follows:

That the figures for construction of an administration building be changed to read "5,000;" that the total be changed to read "\$5,735."

And passed as amended.

Very respectfully

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 292,

A bill for an act creating and defining the Tenth judicial district within the state of North Dakota; providing for the election of a judge therein and fixing the terms of court in said district.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 1, 1907.

I have the honor to inform you that the senate declines to concur in the house amendments to Senate Bill No. 1 and asks for a committee of conference, and the president has named as such conferees on the part of the senate, Messrs. Hanna, Kraabel and LaMoure.

Very respectfully,
J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,

March 1, 1907.

Mr. Speaker:

I have the honor to inform you that the senate has agreed to the request of the house for a conference on House Bill No. 18 and the president has named as such conferees on the part of the senate, Messrs. Pierce, Regan and Koffel.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,

March 1, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 310,

A bill for an act to regulate the public service of stallions and jacks in the state of North Dakota.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Putnam
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, O. P. N.	Hanson	Rohs of Morton
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Simpson
Blegen	Hosford	Sinclair
Brodie	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Sargent	Stavens
Burgum	Johnson of Ward	Steen
Buttz	Jones of Barnes	Stevens
Carter	Jones of Ransom	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Connolly	Mathews	Syvertson
Crawford	McDowall	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Tufte
Dibley	Mockler	Treat
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Nelson of Traill	Wedge
Freeman	Nelson of Steele	Welford
Ganssle	Oveson	Mr. Speaker
Garden	Parkhill	Burdick
Gibbens	Peake	Watts
Giedt	Piper	Casey
Graham	Pugh	Mr. Speaker
Grant	Purdon	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Hankinson	Schlenker
Collins	Martin of Billings	Shannafelt
Halaas	Murphy	Shirley
Hallick	Plath	

Messrs. Collins, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which House Bill No. 28 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Dibley moved

That the house concur in the senate amendments on Senate Bill No. 131.

Which motion prevailed.

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo

for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Simpson
Brotnov	Hemmingsen	Sinclair
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Casey	Johnson of Ward	Storey
Chapman	Jones of Barnes	Streeter
Church	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Dibley	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Jones of Ransom	Rose of Dickey
Anderson, Grand Frks	Martin of Billings	Schlenker
Collins	Murphy	Shannafelt
Connolly	Oveson	Shirley
Halaas	Parkhill	

Messrs. Collins, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Dibley moved

That the vote by which House Bill No. 231 passed be re-

considered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 87,

A bill for an act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota, and for the creating of a board of armory supervisors and defining its duties, for the transfer of armories upon the mustering out of any military organization enumerated, and defining the duties of the state treasurer in carrying out the provisions of this act.

Also,

Senate Bill No. 195,

A bill for an act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Also,

Senate Bill No. 139,

A bill for an act to provide for making necessary improvements at the Industrial School and School for Manual Training, located at Ellendale, providing for the payment of interest on certificates of indebtedness and making an appropriation therefor.

Which the speaker signed in the presence of the house.

Mr. Haugen moved

That House Bills No. 305 and 205 be placed on their third reading and final passage.

Which motion prevailed.

House Bill No. 305,

A concurrent resolution to amend section 217 of the Constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 29, nays 62, absent and not voting 8, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Hanawalt	Morin
Brotnov	Hankinson	Parkhill
Burdick	Hanson	Rohs of Morton
Connolly	Jensen	Simpson
Crawford	Jones of Barnes	Sinclair
Dibley	Martin of Morton	Streeter
Elhard	Mathews	Thoreson
Evans	McDowall	Wake
Flamer	Mockler	Wedge
Giedt	Monek	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Purdon
Adams	Griffith	Putnam
Anderson, Grand F'rks	Hallick	Restemayer
Anderson, Bernt	Haugen	Sorley of Grand Forks
Anderson, O. P. N.	Hemmingsen	Sorlie of Trail
Blake	Hosford	Stavens
Blegen	Johnson of Pembina	Steen
Burgum	Johnson of Sargent	Stevens
Buttz	Johnson of Ward	Storey
Carter	Jones of Ransom	Swendseid
Casey	Law	Syverson
Chapman	Midgarden	Tofsrud
Church	Moore	Treat
Cunningham	Murphy	Tufte
Dean	Nelson of Steele	Ueland
Duncan	Nelson of Traill	Walker
Freeman	Oveson	Watts
Ganssle	Peake	Welford
Garden	Piper	White
Gibbens	Plath	Mr. Speaker
Graham	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Miller	Shannafelt
Halaas	Rose of Dickey	Shirley
Martin of Billings	Schlenker	

Messrs. Collins, Shannafelt and Shirley being excused.

Mr. Andrus passed.

So the bill was lost.

Mr. Haugan moved

That the vote by which House Bill No. 305 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 100,

A bill for an act to amend section 1313 of the Revised Codes of North Dakota, relating to county fairs.

Also,

House Bill No. 183,

A bill for an act to amend section 6 of chapter 141 of the Laws of 1905, being section 2218 of the Revised Codes of 1905, in relation to the inspection of oil.

Also,

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Also,

House Bill No. 251,

A bill for an act to amend section 4073 of the Revised Codes of the state of North Dakota of the Revision of 1905 being chapter 78 of the Session Laws of 1899, relating to the granting of alimony in divorce cases.

Also,

House Bill No. 254,

A bill for an act amending section 926 of the Revised Codes of 1905 relating to the making of time deposits of the sinking fund, or other revenue of a city or school district.

Also,

House Bill No. 207.

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

And find the same correctly engrossed.

O. S. AAKER,

Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey

Messrs.—

Graham
Grant
Griffith
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes

Messrs.—

Parkhill
Feake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens

Messrs.—	Messrs.—	Messrs.—
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Martin of Billings	Syvertson
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Dibley	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Watts
Freeman	Morin	Walker
Ganssle	Murphy	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Nelson of Steele	White
Giedt	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Shannafelt	Simpson
Halaas	Shirley	Sorley of Grand Forks
Schlenker		

Messrs. Collins, Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 205 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred
Senate Bill No. 23,

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any public service corporation, or any officer, agent or representative thereof, to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege, at rates less than charged the public, and prescribing penalties therefor.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of section 3 and inserting in lieu thereof the following:
"Sec. 3. This act shall not be construed to prohibit any common carrier from issuing and giving free personal transportation or other privileges to its officers and employes and their families; to ministers of the gospel; nor to persons accompanying live stock or perishable freight either in going to the destination of such freight or returning therefrom.

"Neither shall it be held to prohibit the granting of excursion rates at designated periods, or between designated dates and between designated points or to designated classes of persons at less than the regular rates; provided, that all persons or all persons of the designated class shall have equal privileges in respect to such excursion rates."

And when so amended recommend the same do pass.

G. A. WHITE,
Chairman.

Also,

Senate Bill No. 282,

A bill for an act to establish regular sessions for state board of railway commissioners and fixing the time, manner, and place, where such sessions shall be held, and otherwise defining their powers, and duties; also defining the duties of the attorney general in relation thereto.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 323,

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 97,

A bill for an act to amend section 4337 of the Revised Codes of the state of North Dakota of 1905 relating to the distribution of cars between shippers by railroad companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 270,

A bill for an act to secure district libraries and appropriate money therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 247,

A bill for an act to amend section 7598 of the Code of 1905, relating to the law of eminent domain.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,
Which motion prevailed and

The report of the committee was adopted.

Senate Bill No. 66,

A bill for an act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and providing for the care, treatment, parole and release of such persons, and prescribing the duties of officials in connection therewith.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Also,

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 244,

A bill for an act to provide for a lien upon threshing machines by threshing laborers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 170,

A bill for an act to amend section 6237 of the Revised Code of the state of North Dakota, relative to mechanic's liens.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 140,

A bill for an act to amend sections 6237, 6238, 6240, 6242, 6243, 6244, 6250, of chapter 79 of the Revised Codes of 1905, relating to mechanics' liens.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 166,

A bill for an act to repeal all of chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,

Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on public printing made the following report:

Mr. Speaker:

A majority of your committee on public printing to whom was referred

House Bill No. 319,

A bill for an act to amend section 37, 43 and 44 of the Revised Codes of 1905 relating to public printing.

Have had the same under consideration and recommend that the same do pass.

T. E. TUFTE,
Chairman.

A minority of the committee on printing made the following report:

Mr. Speaker:

A minority of your committee on printing to whom was referred

House Bill No. 319,

A bill for an act to amend section 37, 43 and 44 of the Revised Codes of 1905 relating to public printing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. R. STREETER,
WM. SIMPSON,
A. S. GIBBENS.

GENERAL ORDERS.

Mr. Peake moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Nelson of Traill to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

And recommend that the same be amended as follows:

Strike out all after the enacting clause and substitute in lieu thereof the following:

"SECTION 1. Experiment Station Created and Established at Williston. Members of Board.] There is hereby created and established an irrigation and dry farming experiment station, to be located at or near Williston in Williams county, in connection with the North Dakota agricultural college at Fargo, and under the direction of a board composed of the board of directors of said college and one additional member to be appointed by the governor by and with the consent of the senate, whose term of office shall be for four years from and after the date of his appointment and until his successor shall have been appointed and shall qualify, and who shall receive for his services the sum of three dollars per day for each day employed under the direction of said board, or in attending its meetings, and five cents for each mile actually and necessarily traveled in connection therewith; provided, however, that said member's authority on said board shall be limited to the consideration of matters affecting the experiment station provided for in this act.

"SEC. 2. Duty of Board to Make Experiments With Grasses, Forage and Other Agricultural Products. Station Not To Be Established or Experiments Undertaken Unless Suitable Land Is Donated for this Work.] It shall be the duty of said board, as constituted herein, to make experiments at said station, through both irrigation and dry farming methods, with native and other forage plants, fruit trees, grains and grasses and other agricultural products, with a view to improving and enlarging the supply of forage plants, fruit trees, grains, grasses and other agricultural products of said district.. Provided, that such station shall not be established nor such experiments undertaken unless a suitable tract of land containing not less than one hundred and sixty acres, within two miles of the city of Williston, shall be donated free of charge, by warranty deed, to the state of North Dakota.

"SEC. 3. Appropriation.] There is hereby appropriated out of the funds of the state treasury not otherwise appropriated the sum of four thousand dollars per annum for the purpose of establishing said station, and three thousand dollars per annum hereafter for conducting said experiments; as provided in this act and for no other purpose.

"SEC. 4. Emergency.] An emergency exists in that the necessary arrangements for the location of said experiment station should be made before the completion of the irrigation ditches now being constructed by the United States government in said district, therefore this act shall take effect and be in force from and after its passage and approval."

That the title of said bill shall be amended to read as follows: "An act entitled: An Act Creating and Establishing an Irrigation and Dry Farming Experiment Station At or Near Williston in Williams County, Providing for Its Management, and Making an Appropriation Therefor."

And when so amended recommend the same do pass.

Also,

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

And recommend that the same be amended as follows:

That section 2 be stricken out and the following substituted:

"SEC. 2. For the purpose of promoting, improving and increasing the poultry industry, an annual exhibition shall be held subject to the conditions hereinafter named.

"SEC. 3. Conditions To Be Complied With.] That the present North Dakota Poultry association, organized under the general laws of this state in relation to corporations, is hereby created as the North Dakota State Poultry association; provided, however, that the state shall never become liable for any of the debts or liabilities of said association. The association shall adopt and file with the secretary of state an irrevocable by-law consenting, and providing that its board of directors shall consist of ten persons; that the commissioner of agriculture and labor shall, ex officio, constitute one member of said board of directors.

"SEC. 4. Appointment and Duties of Executive Committee.] The board of directors of such institution shall appoint an executive committee which shall keep an accurate account of the expenditures of all moneys appropriated to it by the state and all other receipts and expenditures and shall collect all information in their power in relation to the poultry industry in the state, and report the same, together with a statement of their doings, to the governor on or prior to the first day of January each year following the holding of the annual exhibition, and by the governor laid before the legislative assembly. All moneys hereby appropriated shall be paid over to the treasurer of the association on the order of the president, attested by the secretary."

And that the title be amended to read as follows:

"An Act to Provide an Appropriation for the Payment of Premiums and Awards by the North Dakota State Poultry Association, and to Provide for the Establishment of a State Poultry Association."

And when so amended recommend the same do pass.

O. G. NELSON,
Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Peake moved

That the rules be suspended and House Bill No. 211 be considered engrossed and placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 73, nays 12, absent and not voting 14, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Plath
Adams	Graham	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Simpson
Brodie	Johnson of Sargent	Sorley of Grand Forks
Brotnov	Johnson of Ward	Sorlie of Traill
Burdick	Jones of Barnes	Stavens
Burgum	Jones of Ransom	Steen
Buttz	Law	Stevens
Carter	Martin of Morton	Storey
Casey	Mathews	Streeter
Chapman	Miller	Swendseid
Church	Mockler	Thoreson
Crawford	Monek	Tofsrud
Cunningham	Moore	Treat
Dean	Murphy	Tufte
Dibley	Nelson of Steele	Ueland
Duncan	Nelson of Trail	Wake
Flamer	Parkhill	Wedge
Ganssle	Peake	White
Garden	Piper	Mr. Speaker
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Griffith	Syvertson
Elhard	Hosford	Walker
Freeman	Johnson of Pembina	Watts
Grant	Restemayer	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Jensen	Schlenker
Collins	Martin of Billings	Shannafelt
Evans	McDowall	Sinclair
Halaas	Morin	Shirley
Hankinson	Oveson	

Messrs. Collins, Shannafelt and Shirley being excused.

Mr. Midgarden passed.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 211 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objection the house returned to the 11th order of business.

Mr. Peake moved

That the rules be suspended and substitute for Senate Bill No. 111 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 9, absent and not voting 13, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Plath
Anderson, Grand F'rks	Graham	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Simpson
Brodie	Hosford	Sorley of Grand Forks
Brotnov	Jensen	Sorlie of Trail
Burgum	Johnson of Sargent	Stavens
Buttz	Johnson of Ward	Stevens
Carter	Jones of Barnes	Storey
Casey	Jones of Ransom	Streeter
Chapman	Law	Swendseid
Church	Martin of Morton	Syverson
Connolly	Mathews	Thoreson
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Dibley	Mockler	Ueland
Duncan	Monek	Wake
Elhard	Moore	Walker
Evans	Murphy	Wedge
Flamer	Nelson of Trail	Welford
Freeman	Parkhill	White
Garden	Peake	Mr. Speaker
Gibbens	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burdick	Grant	Nelson of Steele
Crawford	Johnson of Pembina	Steen
Ganssle	Morin	Tofsrud

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	McDowall	Shannafelt
Griffith	Oveson	Sinclair
Halaas	Restemayer	Shirley
Hankinson	Schlenker	Watts
Martin of Billings		

Messrs. Collins, Shannafelt and Shirley being excused.

Mr. Aaker passed.

So the bill passed and the title was agreed to.

Mr. Chapman moved

That the vote by which Senate Bill No. 111 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing section 1283 of the Revised Codes of the state of North Dakota of 1905.

Was read the first and second time, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 221,

A bill for an act entitled an act concerning artesian wells and the regulation and acquirement of rights to the use of water therefrom.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 320,

A bill for an act to amend sections 1077, 1078, 1079, 1082, 1084, 1085, 1086, 1087, and 1090 of the Revised Codes of North Dakota of 1905, relative to the state normal schools at Valley City and Mayville.

Was read the first and second times, and

Referred to the committee on education.

Also,

Senate Bill No. 276,

A bill for an act relating to liability of common carriers to their employes.

Was read the first and second times, and

Referred to the committee on railroads.

Also,

Senate Bill No. 293,

A bill for an act to amend section 394 of chapter 5 of the Political Code of the Revised Codes of 1905 for North Dakota, relative to verified claims against the state.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 72,

A bill for an act defining pools and trusts and providing the penalties and remedies therefor.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 240,

A bill for an act to divide the state of North Dakota into two (2) congressional districts, and defining the boundaries of each of said congressional districts of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Was read the first and second times, and

Referred to the committee on live stock.

Also,

Senate Bill No. 292,

A bill for an act creating and defining the Tenth judicial district within the state of North Dakota; providing for the election of a judge therein and fixing the terms of court in said district.

Was read the first and second times, and

Referred to the committee on judiciary.

Also,

Senate Bill No. 308,

A bill for an act to amend sections 8289, 8292, 8295, 8304,

8311, 8316, and 8318 of the Revised Codes of North Dakota for 1905.

Was read the first and second times, and
Referred to the committee on judiciary.

Also,

Senate Bill No. 310,

A bill for an act to regulate the public service of stallions and jacks in the state of North Dakota.

Was read the first and second times, and
Referred to the committee on live stock.

Also,

Senate Bill No. 290,

A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D. 1905, relating to judicial districts within the state.

Was read the first and second time, and
Referred to the committee on judiciary.

On request of Mr. Ueland the privileges of the floor were extended to Mr. Malin of LaMoure county.

On request of Mr. Anderson of Grand Forks the privileges of the floor were extended to Dean Bruce of the law school of the state university.

The privileges of the floor were also extended to Messrs. F. A. Willson, Gust, Furgeson, Court and Moug.

Mr. Peake moved

That the house do now take a recess until 10 o'clock a. m. tomorrow morning.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow.

P. D. NORTON,
Chief Clerk.

FIFTY-THIRD DAY—AFTER RECESS

AND

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 2, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

GENERAL ORDERS.

Mr. J. A. Sorley moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

And the house resolved itself into a committee of the whole.

The speaker called Mr. Midgarden to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

And recommend that the same be amended as follows:

Strike out the word "or" between the words "debt" and "liability," in line 6, and insert after the word "liability" in same line the following words: "Or issue bonds to fund any existing indebtedness."

Strike out the word "or" between the words "debt" and "loan" in line 9, and after the word "loan" in same line insert the words "or bonds."

Strike out all after the word "thereof" in line 15, section 1, and the words "sec. 2" in the emergency clause.

And when so amended recommend the same do pass.

Also,

House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

And recommend that the same be amended as follows:

In line 14 of printed bill strike out the word "two" and insert in lieu thereof the word "one."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 37,

A bill for an act amending sections one (1), two (2), and three (3), of chapter 24 of the Special Laws passed at the Sixteenth session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall assume and pay such proportion thereof, together with the interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing

the method of compelling action under this act by an action or proceeding in court.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 87,

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, wild animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

And recommend that the same be indefinitely postponed.

G. N. MIDGARDEN,

Chairman.

Mr. Midgarden moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,

Chief Clerk.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 2, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Schlenker, Shannafelt, Giedt and Shirley who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-first day, after recess, have carefully examined the same and recommend that the same be corrected as follows:

Page 7, line 12, change figures "84" to "83" and figure "5" to figure "6."

Page 29, change figure "2" to figures "29."

Page 44, line 37, add to the end thereof the following: "and maintenance of school for two years beginning January 1, 1907, for the North Dakota academy of science located at Wahpeton, North Dakota."

Page 48, after line 29, insert the words "which motion prevailed."

Change "page 33," where it appears the second time in the journal, to "page 49;" and number the following pages consecutively up to and including "page 64."

Page 72, strike out last two lines and insert in lieu thereof the following: "A bill for an act appropriating money for paying the indebtedness on superintendent's residence and for building a machine shed and seed house, and for other improvements at Edgeley sub experiment station."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1907.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 181,

A bill for an act to amend section 911 of the Revised
Code of North Dakota for 1905, relating to notice of elec-
tions to vote bonds for school districts.

Also,

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised
Codes of 1905, relating to the appointment and qualification
of the state examiner.

Also,

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and
maintain their offices at the county seat of their respective
counties.

Also,

Senate Bill No. 102,

A bill for an act to prohibit the manufacture and sale
of cigarettes, cigarette paper or wrappers, or substitute
therefor, and providing a penalty for the violation thereof.

Which the senate has passed and your favorable consid-
eration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-second day, have carefully examined the same and recommend that the same be corrected as follows:

Page 28, line 20 ,after the word "stenographers" insert the words "notes and transcripts."

Page 47, line 4 from foot of page, before the word "amendments" insert the word "senate."

Page 49, line 3 from foot of page, after word "public" insert word "health."

Page 51, line 15, after word "furniture" add the words "and maintenance of school for two years beginning January 1, 1907, for the North Dakota academy of science located at Wahpeton, North Dakota."

Page 62, after word "resolution" on last line add the words "relating to H. B. No. 18."

Page 57 as renumbered, last line, insert name "Syvertson" after name "Shannafelt."

Page 60 as renumbered, line 11, at the end thereof insert "and maintenance of school for two years beginning January 1, 1907, for the North Dakota academy of science located at Wahpeton, North Dakota."

Page 62 as renumbered, line 13, change word "senate" to "house." In line 14 strike out the words "and re-enact;" also the figures "2613" and insert in lieu thereof the figures "850;" and in line 15 after figures "1905" add the following: "of the state of North Dakota concerning reports of treasurers of school districts."

Page 77, line 18, strike out all after word "bill" and insert the words "was lost;" and on line 20 strike out word "adopted" and insert in lieu thereof the word "lost;" and on line 21 strike out all after word "reconsidered;" also strike out line 22.

Page 83, line 14, change figure "0" to figure "9;" and on line 15 change figures "11" to figures "10."

Page 84, line 5, strike out name "Walker."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

REPORT OF STANDING COMMITTEES

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined House Bill No. 107,

A bill for an act to provide for the erection and main-

tenance of workhouses in counties having a population of ten thousand or more inhabitants.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Codes of 1905 relating to locating and building of bridges.

Also,

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

Also,

House Bill No. 327,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Also,

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Also,

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Also,

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Also,

House Bill No. 323,

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Also,

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Also,

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating

with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Also,

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Also,

Concurrent Resolution offered by special committee requesting the secretary of the interior to rescind or modify his order in regard to making final proofs on agricultural lands within the state of North Dakota.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

Also,

House Bill No. 315,

A bill for an act entitled an act creating park districts of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Also,

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

And find the same correctly enrolled.

THOS. H. PUGH,

Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted..

The chief clerk announced that the speaker was about to sign

House Concurrent Resolution.

Also,

House bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state, which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engi-

neer for the months of February and March, 1905, and making an appropriation to pay the same.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Also,

House Bill No. 134.

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1907.

Mr. Speaker:

I have the honor to return herewith

House bill No. 11,

A bill for an act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.

Which the senate has returned to the house for correction.

Very respectfully,

J. W. FOLEY,
Secretary.

REPORT OF STANDING COMMITTEES

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred

Senate Bill No. 199,

A bill for an act entitled, an act to provide for organizing counties from the unorganized territory in this state.

Have had the same under consideration and recommend that the same do not pass.

BERNT ANDERSON,

Chairman.

Mr. Bernt Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 202,

A bill for an act to repeal sections 2297 to 2321, both inclusive, of the Revised Codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,

Chairman.

Mr. Bernt Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House bill No. 38,
A bill making an emergency appropriation.
Have had the same under consideration and recommend
that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House Bill No. 172,
A bill for an act making appropriation for the improvement of the military camp grounds, located on Rock Island, Ramsey county, North Dakota.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
House Bill No. 167,
A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,
Senate Bill No. 95,
A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,
Senate Bill No. 56,
A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Have had the same under consideration and recommend that the same do pass.

AMASA P. PEAKE,
Chairman.

Mr. Peake moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on judiciary made the following report:
Mr. Speaker:

Your committee on judiciary to whom was referred
House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Referred to committee of the whole.

Also,

House Bill No. 213,

A bill for an act to amend section 8316, Revised Codes of 1905, relating to the salary of county judges in counties having increased jurisdiction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 265,

A bill for an act to amend section 8314 of the Revised Codes of 1905, of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 276,

A bill for an act to provide uniform practice in civil and criminal actions in county court with increased jurisdiction thereby repealing sections 8292, 8295, 8309, 8310, 8311 of the Revised Code of the state of North Dakota of 1905, and thereby amending chapter 9 of the Probate Code of the Re-

vised Codes of the state of North Dakota of 1905 by adding thereto the following provisions:

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 197,

A bill for an act entitled, "An act providing for the surrender and novation of contracts of purchase of state or school lands of deceased persons."

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing sections 1283 and 1284 of the Revised Codes of the state of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 248,

A bill for an act to amend section 6146 of the Revised Codes of 1905 of the state of North Dakota, relating to extinction of liens.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 308,

A bill for an act to amend sections 8289, 8292, 8295, 8304, 8311, 8316, and 8318 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 143,

A bill for an act to amend section 472 of the Revised Codes of 1905 relating to the boundaries and terms of court in the Fourth judicial district of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:
Mr. Speaker:

Your committee on state affairs to whom was referred
House Bill No. 146,

A bill for an act to amend section 6238 of the Revised
Codes of 1905 relating to mechanic's liens.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely
postponed.

Also,

House bill No. 31,

A bill for an act entitled an act to amend section 6237 of
the revised codes of 1905, relating to mechanics liens.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely
postponed.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 72,

A bill for an act defining pools and trusts and providing the penalties and remedies therefor.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 131,

A bill for an act to amend section 1597 of the Revised Code of 1905 of the state of North Dakota, relative to duty of county auditor.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 293,

A bill for an act to amend section 394 of chapter 5 of the

Political Code of the Revised Codes of 1905 for North Dakota, relative to verified claims against the state.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 289,

A bill for an act to amend section 2231 of the Revised Codes of North Dakota for 1905, relating to abstractors of title—bonds to be given.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of section 25 of printed bill, after the word "packages" insert the following: "Nor to prevent shopkeepers from dealing in or selling the commonly used medicines and poisons, if such medicines and poisons are sold in the unbroken packages put up under the direction of a registered pharmacist or a reputable wholesale drug concern, and properly labeled. Provided, that the person or firm selling the same shall comply with the conditions of section 9024 of the statutes of 1905 of the state of North Dakota."

In line 9, page 17, after the word "business" insert the following: "Provided, however, that any person may sell any quantity of the drugs known as formaldehyde or paris green, if the purchaser thereof shall declare under oath that he desires to use the same for germacidal purposes only."

And when so amended recommend the same do pass

O. P. N. ANDERSON,
Chairman.

The committee on railroads made the following report:
Mr. Speaker:

Your committee on railroads to whom was referred
House Bill No. 80,

A bill for an act requiring railroad corporations to fence both sides of any portion of its road and making it liable for any damages sustained by reason of its failure to do so.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 5,

A bill for an act to amend section 4302 of the Revised Codes of 1905 relating to the stopping of passenger trains at county seats, and penalty for non compliance therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House bill No. 24.

A bill for an act establishing a maximum railroad passenger rate within the state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 6,

A bill for a law prohibiting the issuance or furthering of any pass, ticket, transportation or service, either free or at less than regular public rates, to any person, and to prohibit the receiving or issuing of any such ticket, pass, transportation or service, and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

House bill No. 27,

A bill for an act regulating the handling of freight in carload lots by railroad companies, shippers and consignees, and equalizing car service, charges and penalties for the use and detention of cars and failure to furnish cars and transport the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 58,

A bill for an act regulating the handling of freight in car load lots by railroad companies, shippers and consignees, and equalizing car service charges and penalties, for the use and detention of cars and failure to furnish cars and transport the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 104,

A bill for an act providing for an equal distribution of cars, prohibiting discriminations among shippers, and providing for reciprocal demurrage between railroads and shippers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted.
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 127,

A bill for an act fixing the maximum charge for carrying passengers over any railroad in the state of North Dakota, and prescribing penalties for its violation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 339,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,
Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 331,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the election and term of office of railroad commissioners.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved

That the report be adopted,
Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 276,

A bill for an act relating to liability of common carriers to their employes.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,
Chairman.

Mr. White moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

Senate Bill No. 287,

A bill for an act to amend section 183 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. O. J. Sorlie moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 286,

A bill for an act to authorize holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts, and obtain new contracts for the land less the rights of way required for such railroad, and providing for the payment to the state of the balance of the purchase price of the land required for such rights of way and issuance of deed therefor.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. O. J. Sorlie moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 302,

A Concurrent Resolution for an amendment to the constitution, relating to the sale of school lands.

Have had the same under consideration and recommend that the same do pass.

Referred to committee of the whole.

O. J. SORLIE,
Chairman.

The committee on banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred

House Bill No. 238,

A bill for an act to amend section 4641 of the Revised Codes of 1905, relative to capital stock of banking corporations.

Have had the same under consideration and recommend that the same do pass.

R. C. WEDGE,
Chairman.

Mr. Wedge moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 334,

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

The speaker called Mr. Tufte to the chair.

Mr. Sorley moved

That the house concur in senate request for conference

committee for the consideration of Senate Bill No. 1 and that the speaker appoint a committee of three from the house to meet with the senate committee.

Which motion prevailed.

The speaker appointed as such committee Messrs. Sorley of Grand Forks, Casey and Graham.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

There being no objection

Mr. Treat introduced

House Bill No. 344,

Which was read the first and second times and

Referred to the committee on municipal corporations.

Also,

Mr. Wedge, by request, introduced

House Bill No. 345,

Which was read the first and second times and

Referred to the committee on judiciary.

The speaker in the chair.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 129,

A bill for an act to amend and re-enact sections 1034, 1035, and 1036 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 275,

A bill for an act making an appropriation for the state historical society of North Dakota.

Also,

Senate Bill No. 243,

A bill for an act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

And the speaker signed the same in the presence of the house.

THIRD READING OF HOUSE BILLS.

House Bill 306,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays 4, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Adams	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Pugh
Anderson, Bernt	Hankinson	Purdon
Anderson, O. P. N.	Hanson	Putnam
Blake	Haugen	Restemayer
Blegen	Hemmingsen	Rohs of Morton
Brotnov	Hosford	Rose of Dickey
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Church	Jones of Ransom	Steen
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Syvertson
Dean	McDowall	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Treat
Evans	Mockler	Tufte
Flamer	Monek	Ueland
Ganssle	Moore	Wake
Garden	Morin	Walker
Gibbens	Murphy	Watts
Graham	Nelson of Traill	Wedge
Grant	Oveson	Welford
Griffith	Parkhill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Stevens	White
Nelson of Steele		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Freeman	Schlenker
Chapman	Giedt	Shannafelt
Elhard	Piper	Shirley

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which House Bill No. 306 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 10, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Oveson
Adams	Griffith	Parkhill
Anderson, Grand F'rks	Halaas	Peake
Anderson, Bernt	Hallick	Piper
Anderson, O. P. N.	Hanawalt	Plath
Andrus	Hankinson	Pugh
Blake	Haugen	Putnam
Blegen	Hemmingsen	Rohs of Morton
Brotnov	Hosford	Rose of Dickey
Burdick	Jensen	Sinclair
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Mathews	Syverson
Crawford	McDowall	Thoreson
Cunningham	Midgarden	Tofsrud
Dibley	Miller	Treat

Messrs.—	Messrs.—	Messrs.—
Duncan	Monek	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dean	Restemayer	Watts
Hanson	Simpson	Welford
Martin of Billings	Stevens	White
Mockler		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Shannafelt
Elhard	Purdon	Shirley
Evans	Schlenker	

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Welford explained his vote.

Mr. Tufte moved

That the vote by which House Bill No. 110 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 2, 1907.

Mr Speaker:

I have the honor to return herewith

House Bill No. 283,

A bill for an act to amend section 408, of the Revised Codes of 1905, relating to the bonding of certain officers.

Also,

House Bill No. 224,

A bill for an act to repeal article 1 of chapter 30 of the

Code of Civil Procedure relating to the foreclosure of mortgages by advertisement.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 6, absent and not voting 12, passed 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hallick	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Burdick	Hanson	Simpson
Burgum	Haugen	Sinclair
Buttz	Hosford	Sorley of Grand Forks
Carter	Jensen	Steen
Casey	Johnson of Pembina	Stevens
Chapman	Johnson of Sargent	Storey
Church	Johnson of Ward	Streeter
Collins	Jones of Barnes	Swendseid
Connolly	Jones of Ransom	Syvertson
Crawford	Martin of Morton	Tofsrud
Cunningham	Martin of Billings	Treat
Dean	Mathews	Tufte
Dibley	McDowall	Ueland
Duncan	Miller	Wake
Evans	Mockler	Walker
Flamer	Monek	Watts
Freeman	Moore	Wedge
Ganssle	Morin	Welford
Garden	Nelson of Traill	Mr. Speaker
Gibbens	Parkhill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Law	Stavens
Hemmingsen	Peake	Thoreson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Murphy	Schlenker
Elhard	Oveson	Shannafelt
Giedt	Purdon	Shirley
Midgarden	Sorlie of Traill	White

Messrs. Aaker and Nelson of Steele passed.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 116 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 322,

A bill for an act to amend section 7045 of the Revised Codes of North Dakota of 1905 relating to when another judge may be called in for prejudice or bias.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 69, nays, none, absent and not voting 31.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanson	Putnam
Adams	Haugen	Restemayer
Anderson, Grand F'rks	Hemmingsen	Rose of Dickey
Anderson, Bernt	Hosford	Sinclair
Anderson, O. P. N.	Jensen	Sorley of Grand Forks
Andrus	Johnson of Pembina	Sorlie of Traill
Blegen	Jones of Barnes	Stavens
Brotnov	Jones of Ransom	Steen
Burdick	Law	Stevens
Buttz	Martin of Morton	Storey
Carter	Midgarden	Streeter
Casey	Miller	Swendseid
Chapman	Mockler	Tofsrud
Church	Monek	Treat
Dean	Moore	Tufte
Canssle	Morin	Ueland
Garden	Murphy	Wake
Gibbens	Nelson of Steele	Walker
Graham	Nelson of Traill	Watts
Grant	Oveson	Wedge
Halaas	Piper	Welford
Hallick	Plath	White
Hankinson	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	Flamer	Parkhill
Brodie	Freeman	Peake
Burgum	Giedt	Purdon
Collins	Griffith	Rohs of Morton
Connolly	Hanawalt	Schlenker
Crawford	Johnson of Sargent	Shannafelt
Cunningham	Johnson of Ward	Simpson
Dibley	Martin of Billings	Shirley
Duncan	Mathews	Syvertson
Elhard	McDowall	Thoreson
Evans		

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Bernt Anderson moved

That the vote by which House Bill No. 322 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 292,

A bill for an act to amend section 9202 of Chapter 50 of the Revised Codes of 1905 for the state of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 8, absent and not voting 16, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Peake
Adams	Halaas	Piper
Anderson, Grand F'rks	Hallick	Plath
Anderson, Eernt	Hanawalt	Pugh
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Hemmingsen	Rose of Dickey
Blegen	Jensen	Sinclair
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Jones of Barnes	Stavens
Buttz	Jones of Ransom	Steen
Carter	Law	Stevens
Chapman	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syvertson
Dean	Miller	Thoreson
Dibley	Mockler	Tofsrud

Messrs.—	Messrs.—	Messrs.—
Duncan	Monek	Treat
Flamer	Moore	Ueland
Ganssle	Morin	Wake
Gibbens	Murphy	Watts
Garden	Nelson of Steele	Wedge
Graham	Nelson of Traill	Welford
Grant	Oveson	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burgum	Hosford	Walker
Church	Sorley of Grand Forks	Mr. Speaker
Haugen	Tufte	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Rohs of Morton
Casey	Johnson of Sargent	Schlenker
Connolly	Johnson of Ward	Shannafelt
Elhard	Parkhill	Shirley
Evans	Purdon	Simpson
Freeman		

Mr. Midgarden passed.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Blake moved

That the vote by which House Bill No. 292 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 301.

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 1, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Oveson
Adams	Hallick	Feake
Anderson, Grand F'rks	Hanawalt	Plath
Anderson, Bernt	Hankinson	Pugh
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rose of Dickey
Blegen	Hosford	Sinclair

Messrs.—

Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Flamer
Freeman
Garden
Gibbens
Graham
Grant
Griffith

Messrs.—

Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill

Messrs.—

Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Elhard
Evans
Ganssle
Giedt

Messrs.—

Parkhill
Piper
Purdon
Rohs of Morton
Schlenker

Messrs.—

Shannafelt
Simpson
Shirley
Stevens

Mr. Collins voted in the negative.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 301 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 87, nays 3, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams

Messrs.—

Grant
Griffith

Messrs.—

Plath
Pugh

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rose of Dickey
Blake	Hanson	Simpson
Blegen	Haugen	Sinclair
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Martin of Billings	Syverson
Connolly	Mathews	Thoreson
Crawford	McDowall	Tofsrud
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Dibley	Moore	Ueland
Duncan	Morin	Wake
Evans	Murphy	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Gibbens	Parkhill	White
Graham	Peake	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Jensen	Mockler	Monek
Absent and not voting:		
Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Schlenker
Elhard	Piper	Shannafelt
Garden	Rohs of Morton	Shirley
Giedt		

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Collins moved

That the vote by which House Bill No. 242 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 12, absent and not voting 14, passed 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
 Adams
 Anderson, Grand F'rks
 Anderson, Bernt
 Blegen
 Brotnov
 Burdick
 Burgum
 Buttz
 Casey
 Church
 Collins
 Connolly
 Crawford
 Cunningham
 Dibley
 Duncan
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Graham
 Grant
 Griffith

Messrs.—

Halaas
 Hallick
 Hanawalt
 Hankinson
 Hanson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Sargent
 Jones of Barnes
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Miller
 Monek
 Moore
 Morin
 Nelson of Steele
 Nelson of Traill
 Oveson

Messrs.—

Parkhill
 Peake
 Plath
 Purdon
 Putnam
 Rose of Dickey
 Sorley of Grand Forks
 Sorlie of Traill
 Stavens
 Steen
 Stevens
 Storey
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Treat
 Tufte
 Ueland
 Wake
 Walker
 Welford
 White
 Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, O. P. N.
 Andrus
 Blake
 Carter

Messrs.—

Chapman
 Dean
 Mockler
 Pugh

Messrs.—

Restemayer
 Simpson
 Watts
 Wedge

Absent and not voting:

Messrs.—

Brodie
 Elhard
 Evans
 Giedt
 Johnson of Ward

Messrs.—

Jones of Ransom
 Murphy
 Piper
 Rohs of Morton
 Schlenker

Messrs.—

Shannafelt
 Sinclair
 Shirley
 Streeter

Mr. Midgarden passed.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

Mr. Aaker moved

That the vote by which House Bill No. 325 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. O. P. N. Anderson moved

That the vote by which Senate Bill No. 90 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. O. P. N. Anderson moved

That the house request the return of Senate Bill No. 90.

Which motion prevailed.

House Bill No. 326,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there was ayes 84, nays 2, absent and not voting 12, passed 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Parkhill
Anderson, Grand F'rks	Grant	Plath
Anderson Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hanawalt	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Martin of Billings	Syvertson
Crawford	Mathews	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Tufte
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Ganssle	Murphy	Welford
Garden	Nelson of Steele	White
Gibbens	Nelson of Traill	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Shannafelt
Elhard	Piper	Schlenker
Giedt	Peake	Shirley
Hankinson	Rohs of Morton	Treat

Messrs. Hallick and Sorley of Traill voted in the negative.

Messrs. Aaker and Oveson passed.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. McDowall moved

That the vote by which House Bill No. 326 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2218 and 2226, in relation to oil inspection.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Oveson
Anderson, Grand F'rks	Halaas	Peake
Anderson, Bernt	Hallick	Plath
Anderson, O. P. N.	Hanawalt	Pugh
Andrus	Hankinson	Purdon
Blake	Hanson	Restemayer
Blegen	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Tofsrud
Dibley	McDowall	Treat
Duncan	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Monek	Wake
Freeman	Moore	Walker
Ganssle	Morin	Watts
Garden	Murphy	Welford
Gibbens	Nelson of Steele	White
Graham	Nelson of Traill	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Midgarden	Schlenker
Brodie	Parkhill	Shannafelt
Chapman	Piper	Shirley
Elhard	Putnam	Stevens
Giedt	Rohs of Morton	Wedge

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which House Bill No. 183 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 1, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Flamer
Freeman
Ganssle
Garden
Gibbens
Graham
Grant

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Law
Mathews
McDowall
Miller
Mockler
Monek
Moore
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Plath

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Casey
Chapman
Dibley
Elhard
Evans
Giedt

Messrs.—

Jones of Barnes
Martin of Morton
Martin of Billings
Midgarden
Morin
Piper

Messrs.—

Rohs of Morton
Schlenker
Shannafelt
Shirley
Stevens
Ueland

Mr. Jensen voted in the negative.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Hemmingson moved

That the vote by which House Bill No. 93 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 2, 1907.

Mr. Speaker:

I have the honor to return herewith:

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Which the senate has returned in accordance with the request of the house.

Very respectfully,

J. W. FOLEY,

Secretary.

House Bill No. 100,

A bill for an act to amend section 1313 of the Revised Codes of 1905 of the state of North Dakota, relating to county fairs.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 35, nays 54, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Burgum
Church
Collins
Duncan

Messrs.—

Hanawalt
Hemmingsen
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward

Messrs.—

Pugh
Putnam
Restemayer
Simpson
Sinclair
Stevens

Messrs.—	Messrs.—	Messrs.—
Evans	Law	Streeter
Freeman	Miller	Swendseid
Ganssle	Mockler	Syverson
Garden	Moore	Tufte
Gibbens	Murphy	Watts
Graham	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Griffith	Parkhill
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hankinson	Sorley of Grand Forks
Blake	Hanson	Sorlie of Traill
Blegen	Haugen	Stavens
Brotnov	Hosford	Steen
Burdick	Jones of Barnes	Storey
Buttz	Martin of Morton	Thoreson
Carter	Martin of Billings	Tofsrud
Chapman	Mathews	Treat
Connolly	McDowall	Ueland
Crawford	Midgarden	Wake
Cunningham	Monek	Walker
Dean	Morin	Wedge
Dibley	Nelson of Steele	Welford
Flamer	Nelson of Traill	White
Grant	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Shannafelt
Casey	Rose of Dickey	Schlenker
Elhard	Rohs of Morton	Shirley
Giedt	Piper	

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Pugh moved

That the vote by which House Bill No. 100 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 20,

A bill for an act to amend section 7459 of the Revised Codes for 1905, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Adams	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Pugh
Anderson, Bernt	Hankinson	Purdon
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rose of Dickey
Blegen	Hosford	Simpson
Brotnov	Jensen	Sinclair
Burdick	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Syvertson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Ganssle	Murphy	Watts
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Welford
Graham	Oveson	White
Grant	Parkhill	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Schlenker
Buttz	Piper	Shannafelt
Elhard	Rohs of Morton	Shirley

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 20 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Gibbens moved

That House Bill No. 254 be laid upon the table for further consideration.

Which motion prevailed.

Mr. Treat asked unanimous consent to amend House Bill No. 207.

There being no objection

Mr. Treat moved

That House Bill No. 207 be amended by striking out that part pertaining to churches and seminaries.

Which motion prevailed.

Mr. Stevens moved

That House Bill No. 207 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 86, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Adams	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Simpson
Blegen	Hemmingsen	Sinclair
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Jensen	Sorlie of Traill
Burgum	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Martin of Billings	Syvertson
Crawford	Mathews	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Treat
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Evans	Monek	Wake
Flamer	Morin	Walker
Ganssle	Murphy	Watts
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Welford
Graham	Oveson	White
Grant	Parkhill	Mr. Speaker
Griffith	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Rose of Dickey
Buttz	Moore	Schlenker
Elhard	Piper	Shannafelt
Freeman	Rohs of Morton	Shirley
Giedt		

Mr. O. P. N. Anderson voted in the negative.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Tufte moved

That the title to House Bill No. 207 be amended by adding thereto the following:

“Relating to property exempt from taxation.”

Which motion prevailed.

Mr. Midgarden moved

That the vote by which House Bill No. 207 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Adams	Hallick	Plath
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Putnam
Anderson, O. P. N.	Haugen	Restemayer
Andrus	Hemmingsen	Rose of Dickey
Blake	Hosford	Simpson
Blegen	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Traill
Burdick	Johnson of Sargent	Stavens
Burgum	Johnson of Ward	Steen
Buttz	Jones of Barnes	Stevens
Carter	Law	Storey
Chapman	Martin of Morton	Streeter
Church	Martin of Billings	Swendseid
Collins	Mathews	Syvertson
Connolly	McDowall	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Dibley	Monek	Ueland
Duncan	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Welford
Graham	Oveson	White
Grant	Parkhill	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—

Brodie
Casey
Elhard
Evans
Garden

Messrs.—

Giedt
Hanson
Jones of Ransom
Piper
Pugh

Messrs.—

Rohs of Morton
Schlenker
Shannafelt
Sinclair
Shirley

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Miller moved

That the vote by which House Bill No. 150 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 327,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 80, nays 3, absent and not voting 16, passed 1.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Flamer
Freeman
Ganssle
Garden
Gibbens
Graham

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy

Messrs.—

Nelson of Steele
Oveson
Plath
Purdon
Putnam
Restemayer
Rose of Dickey
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Walker
Watts
Wedge
Welford
Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Nelson of Traill	Ueland	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Farkhill	Schlenker
Casey	Peake	Shannafelt
Elhard	Piper	Sinclair
Evans	Pugh	Shirley
Giedt	Rohs of Morton	Wake
Jones of Ransom		

Mr. Aaker passed.

Mr. White explained his vote.

So the bill passed and the title was agreed to.

Mr. Simpson moved

That the vote by which House Bill No. 327 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 323,

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 76, nays 6, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Adams	Hallick	Purdon
Anderson, Grand F'rks	Hanawalt	Putnam
Anderson, Bernt	Hankinson	Restemayer
Anderson, O. P. N.	Hanson	Rose of Dickey
Andrus	Haugen	Simpson
Blegen	Hemmingsen	Sorley of Grand Forks
Brotnov	Hosford	Sorlie of Traill
Burdick	Jensen	Stavens
Burgum	Johnson of Pembina	Steen
Buttz	Johnson of Ward	Stevens
Carter	Jones of Barnes	Streeter
Chapman	Law	Swendseid
Church	Martin of Morton	Syvertson
Connolly	Mathews	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Tufte
Dibley	Miller	Ueland
Duncan	Monek	Wake

Messrs.—	Messrs.—	Messrs.—
Freeman	Moore	Walker
Ganssle	Morin	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Oveson	Welford
Graham	Peake	White
Grant	Plath	Mr. Speaker
Griffith		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Crawford	Johnson of Sargent
Collins	Flamer	Nelson of Steele

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Schlenker
Casey	Mockler	Shannafelt
Elhard	Murphy	Sinclair
Evans	Parkhill	Shirley
Giedt	Piper	Storey
Jones of Ransom	Rohs of Morton	Treat

So the bill passed and the title was agreed to.

Mr. C. A. Johnson moved

That the vote by which House Bill No. 323 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 251,

A bill for an act to amend section 4073 of the Revised Codes of the state of North Dakota of the Revision of 1905 being chapter 78 of the Session Laws of 1899, relating to the granting of alimony in divorce cases.

Was read the third time. .

Mr. Streeter moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

The speaker called Mr. Pugh to the chair.

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Codes of 1905 relating to locating and building of bridges.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 56, nays 17, absent and not voting 23, passed 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Freeman	Morin
Adams	Garden	Parkhill
Anderson, O. P. N.	Gibbens	Peake
Andrus	Graham	Plath
Blake	Griffith	Purdon
Blegen	Hallick	Putnam
Burgum	Hankinson	Restemayer
Buttz	Hanson	Rose of Dickey
Carter	Jensen	Sorley of Grand Forks
Chapman	Johnson of Pembina	Stevens
Church	Johnson of Sargent	Streeter
Collins	Johnson of Ward	Swendseid
Connolly	Jones of Barnes	Syvertson
Crawford	Law	Treat
Cunningham	Martin of Morton	Ueland
Dean	Martin of Billings	Wake
Dibley	Mathews	Welford
Duncan	McDowall	Mr. Speaker
Flamer	Mockler	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Nelson of Traill	Tofsrud
Grant	Oveson	Tufte
Hanawalt	Pugh	Walker
Haugen	Stavens	Watts
Hemmingsen	Steen	White
Nelson of Steele	Thoreson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Jones of Ransom	Shannafelt
Brodie	Miller	Simpson
Burdick	Monek	Sinclair
Casey	Moore	Sorlie of Traill
Elhard	Murphy	Shirley
Evans	Piper	Storey
Ganssle	Rohs of Morton	Wedge
Giedt	Schlenker	

Messrs. Bernt Anderson, Halaas, Hosford and Midgarden passed.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title agreed to.

Mr. Dibley moved

That the vote by which House Bill No. 219 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised

Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Oveson
Adams	Grant	Parkhill
Anderson, Grand F'rks	Griffith	Peake
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hanson	Putnam
Blegen	Haugen	Restemayer
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Streeter
Church	Jones of Barnes	Swendseid
Collins	Law	Syverson
Connolly	Martin of Morton	Thoreson
Crawford	Martin of Billings	Treat
Cunningham	Mathews	Tufte
Dean	McDowall	Ueland
Dibley	Midgarden	Wake
Duncan	Mockler	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Nelson of Traill	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Miller	Simpson
Casey	Monek	Sinclair
Elhard	Murphy	Sorley of Grand Forks
Evans	Piper	Shirley
Ganssle	Rohs of Morton	Storey
Giedt	Schlenker	Tofsrud
Hankinson	Shannafelt	Mr. Speaker
Jones of Ransom		

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 281 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF STANDING COMMITTEES

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment respectfully report that:
House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer, for the months of February and March, 1905, and make an appropriation to pay the same.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Also,

House Bill No. 134,

A bill for an act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis & Clark) exposition.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experimental station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the

manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris Green and formaldehyde laws and for making other experiments.

Also,

House Bill No. 28,

A bill for an act making appropriation to cover deficiency on monuments for sewer and reconstruction of plumbing for remodeling for new dormitory, and for construction of an administration building at soldiers' home.

Were delivered to the governor for his approval at the hour of 4:50 o'clock March 2, 1907.

THOS. H. PUGH,
Chairman.

The speaker in the chair.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

GOVERNOR'S OFFICE, NORTH DAKOTA,
BISMARCK, March 2, 1907.

To the House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved and filed with the secretary of state House Bill No. 315,

A bill for an act entitled an act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof.

I have the honor to be

Respectfully,
JOHN BURKE,
Governor.

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 59, nays 17, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Haugen	Peake
Anderson, Grand F'rks	Hemmingsen	Plath
Andrus	Hosford	Pugh
Blegen	Jensen	Putnam
Burgum	Johnson of Sargent	Rose of Dickey
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Chapman	Law	Stevens
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Connolly	Mathews	Thoreson
Cunningham	McDowall	Treat
Dean	Midgarden	Tufte
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Flamer	Moore	Walker
Garden	Morin	Welford
Graham	Murphy	White
Griffith	Nelson of Steele	Mr. Speaker
Halaas	Nelson of Traill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Freeman	Johnson of Pembina
Anderson, O. P. N.	Gibbens	Syvertson
Blake	Grant	Tofsrud
Brotnov	Hanawalt	Watts
Burdick	Hankinson	Wedge
Crawford	Hanson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Jones of Ransom	Schlenker
Brodie	Monek	Shannafelt
Casey	Oveson	Simpson
Elhard	Parkhill	Sinclair
Evans	Piper	Sorley of Grand Forks
Ganssle	Purdon	Shirley
Giedt	Restemayer	Steen
Hallick	Rohs of Morton	Storey

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which House Bill No. 300 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of

reports regarding such statistics, and prescribing a penalty for violation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 1, absent and not voting 22, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Packhill
Adams	Griffith	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Sorley of Grand Forks
Brotnov	Haugen	Sorlie of Traill
Burdick	Hemmingsen	Stavens
Burgum	Hosford	Steen
Buttz	Jensen	Stevens
Carter	Johnson of Pembina	Streeter
Chapman	Johnson of Sargent	Swendseid
Church	Johnson of Ward	Syvertson
Collins	Jones of Barnes	Thoreson
Connolly	Law	Tofsrud
Crawford	Martin of Morton	Treat
Cunningham	Martin of Billings	Tufte
Dean	Midgarden	Ueland
Dibley	Miller	Wake
Duncan	Mockler	Walker
Flamer	Moore	Wedge
Freeman	Morin	Welford
Garden	Murphy	White
Gibbens	Nelson of Steele	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	McDowall	Schlenker
Brodie	Monek	Shannafelt
Casey	Oveson	Simpson
Elhard	Peake	Sinclair
Evans	Piper	Shirley
Ganssle	Rohs of Morton	Storey
Giedt	Rose of Dickey	Watts
Jones of Ransom		

Mr. Mathews voted in the negative.

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

Mr. Nelson of Traill passed.

So the bill passed and the title was agreed to.

Mr. Brodie moved

That the vote by which House Bill No. 263 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 107,

A bill for an act providing to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 67, nays 12, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Adams	Hallick	Purdon
Anderson, Grand F'rks	Haugen	Putnam
Anderson, Bernt	Hemmingsen	Restemayer
Blake	Hosford	Rose of Dickey
Blegen	Johnson of Sargent	Sorley of Grand Forks
Brotnov	Johnson of Ward	Sorlie of Traill
Burgum	Jones of Barnes	Stavens
Buttz	Law	Stevens
Carter	Martin of Morton	Streeter
Chapman	Martin of Billings	Swendseid
Church	Mathews	Syvertson
Connolly	Midgarden	Thoreson
Dean	Miller	Tufte
Dibley	Mockler	Ueland
Duncan	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Oveson	Welford
Graham	Peake	White
Grant	Plath	Mr. Speaker
Griffith		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanawalt	McDowall
Burdick	Hanson	Murphy
Crawford	Jensen	Parkhill
Cunningham	Johnson of Pembina	Steen

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Giedt	Shannafelt
Brodie	Hankinson	Simpson
Casey	Jones of Ransom	Sinclair
Collins	Monek	Shirley
Elhard	Piper	Storey
Evans	Rohs of Morton	Tofsrud
Ganssle	Schlenker	Treat

Messrs. Giedt, Schlenker, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 107 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 181,

A bill for an act to amend section 911 of the Revised Code of North Dakota for 1905, relating to notice of elections to vote bonds of school districts.

Was read the first and second time, and

Referred to the committee on elections and privileges.

Also,

Senate Bill No. 102;

A bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or substitute therefor, and providing a penalty for the violation thereof.

Was read the first and second times, and

Referred to the committee on public health.

Also,

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised Codes of 1905, relating to the appointment and qualification of the state examiner.

Was read the first and second times, and

Referred to the committee on state affairs.

Also,

Senate Bill No. 334,

Was read the first and second times, and

Referred to the committee on school and public lands.

Also,

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Was read the first and second times, and

Referred to the committee on state affairs.

On request of Mr. Buttz the privileges of the floor were extended to Messrs. Tennesson, Lindstrom and Devire.

On request of Mr. Halaas the privileges of the floor were extended to Mr. Trovatten.

On request of Mr. Dibley the privileges of the floor were extended to Messrs. W. A. Scott and Chas. Wilson of Fargo.

Mr. White moved

That the house take a recess until 7:30 o'clock this evening.

Which motion prevailed, and

The house took a recess until 7:30 o'clock this evening.

AFTER RECESS.

The speaker called Mr. Tufte to the chair.

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

Was read the third time.

Mr. Sorley of Grand Forks moved

That the further consideration of this bill be made a special order for 3 o'clock Monday.

Which motion prevailed.

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Purdon
Adams	Hallick	Putnam
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, O. P. N.	Hankinson	Rose of Dickey
Blake	Hanson	Schlenker
Blegen	Haugen	Sorley of Grand Forks
Brotnov	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Mathews	Syvertson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Moore	Tufte

Messrs.—

Elhard
Flamer
Freeman
Garden
Gibbens
Graham
Grant
Griffith

Messrs.—

Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Plath
Pugh

Messrs.—

Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Bernt
Andrus
Brodie
Burdick
Casey
Crawford
Evans
Ganssle

Messrs.—

Giedt
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Billings
McDowall
Monek

Messrs.—

Parkhill
Piper
Rohs of Morton
Shannafelt
Simpson
Sinclair
Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 220 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Cunningham

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden

Messrs.—

Purdon
Putnam
Restemayer
Rose of Dickey
Schlenker
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson

Messrs.—	Messrs.—	Messrs.—
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Moore	Tufte
Elhard	Morin	Ueland
Flamer	Murphy	Wake
Freeman	Nelson of Steele	Walker
Garden	Nelson of Traill	Watts
Gibbens	Oveson	Wedge
Graham	Peake	Welford
Grant	Plath	White
Griffith	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Giedt	Parkhill
Andrus	Johnson of Sargent	Piper
Brodie	Johnson of Ward	Rohs of Morton
Burdick	Jones of Ransom	Shannafelt
Casey	Martin of Billings	Simpson
Crawford	McDowall	Sinclair
Evans	Monek	Shirley
Ganssle		

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Carter moved

That the vote by which House Bill No. 287 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Purdon
Adams	Hallick	Putnam
Anderson, Grand Frks	Hanawalt	Restemayer
Anderson, O. P. N.	Hankinson	Rose of Dickey
Blake	Hanson	Schlenker
Blegen	Haugen	Sorley of Grand Forks
Brotnov	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid

Messrs.—	Messrs.—	Messrs.—
Connolly	Mathews	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Moore	Tufte
Elhard	Morin	Ueland
Flamer	Murphy	Wake
Freeman	Nelson of Steele	Walker
Garden	Nelson of Traill	Watts
Gibbens	Oveson	Wedge
Graham	Peake	Welford
Grant	Plath	White
Griffith	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Giedt	Parkhill
Andrus	Johnson of Sargent	Piper
Brodie	Johnson of Ward	Rohs of Morton
Burdick	Jones of Ransom	Shannafelt
Casey	Martin of Billings	Simpson
Crawford	McDowall	Sinclair
Evans	Monek	Shirley
Ganssle		

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which House Bill No. 286 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays none, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Purdon
Adams	Hanawalt	Putnam
Anderson, Grand F'rks	Hankinson	Restemayer

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Hanson	Rose of Dickey
Blake	Haugen	Schlenker
Blegen	Hemmingsen	Sorley of Grand Forks
Brotnov	Hosford	Sorlie of Trail
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Jones of Barnes	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Mathews	Swendseid
Connolly	Midgarden	Syverson
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Dibley	Moore	Treat
Duncan	Morin	Tufte
Elhard	Murphy	Ueland
Flamer	Nelson of Steele	Wake
Freeman	Nelson of Trail	Walker
Garden	Oveson	Wedge
Gibbens	Peake	Welford
Graham	Plath	White
Grant	Pugh	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Giedt	Parkhill
Andrus	Hallick	Piper
Brodie	Johnson of Sargent	Rohs of Morton
Burdick	Johnson of Ward	Shannafelt
Casey	Jones of Ransom	Simpson
Crawford	Martin of Billings	Sinclair
Evans	McDowall	Shirley
Ganssle	Monek	Watts

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 297 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Was read the third time.

Mr. Stevens moved

That the further consideration of this bill be deferred until next Monday.

Which motion prevailed.

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the

benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 64, nays 14, absent and not voting 21, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Putnam
Adams	Grant	Restemayer
Anderson, Grand F'rks	Halaas	Rose of Dickey
Anderson, O. P. N.	Hallick	Schlenker
Blake	Hankinson	Sorley of Grand Forks
Blegen	Haugen	Sorlie of Traill
Brotnov	Hemmingsen	Stavens
Burgum	Hosford	Stevens
Buttz	Johnson of Pembina	Storey
Chapman	Jones of Barnes	Streeter
Church	Law	Swendseid
Collins	Mathews	Syverson
Connolly	Miller	Thoreson
Crawford	Moore	Treat
Dean	Morin	Tufte
Dibley	Murphy	Ueland
Duncan	Nelson of Steele	Wake
Elhard	Peake	Walker
Flamer	Plath	Watts
Freeman	Pugh	Wedge
Garden	Purdon	Mr. Speaker
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Jensen	Steen
Cunningham	Martin of Morton	Tofsrud
Griffith	Mockler	Welford
Hanawalt	Nelson of Traill	White
Hanson	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Giedt	Parkhill
Andrus	Johnson of Sargent	Piper
Brodie	Johnson of Ward	Rohs of Morton
Burdick	Jones of Ransom	Shannafelt
Casey	Martin of Billings	Simpson
Evans	McDowall	Sinclair
Ganssle	Monek	Shirley

Mr. Midgarden passed.

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Law moved

That the vote by which House Bill No. 291 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 1, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Putnam
Adams	Hanawalt	Restemayer
Anderson, Bernt	Hankinson	Rose of Dickey
Anderson, O. P. N.	Hanson	Schlenker
Blake	Haugen	Sorley of Grand Forks
Blegen	Hemmingsen	Sorlie of Traill
Brotnov	Hosford	Stavens
Burgum	Jensen	Steen
Buttz	Johnson of Pembina	Stevens
Carter	Jones of Barnes	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Mathews	Syvertson
Connolly	Midgarden	Thoreson
Cunningham	Miller	Tofsrud
Dean	Moore	Treat
Dibley	Morin	Tufte
Duncan	Murphy	Ueland
Elhard	Nelson of Steele	Wake
Flamer	Nelson of Traill	Walker
Garden	Peake	Watts
Gibbens	Plath	Wedge
Graham	Pugh	Welford
Grant	Purdon	Mr. Speaker
Halaas		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Giedt	Oveson
Andrus	Griffith	Parkhill
Brodie	Johnson of Sargent	Piper
Burdick	Johnson of Ward	Rohs of Morton
Casey	Jones of Ransom	Shannafelt
Crawford	Martin of Billings	Simpson
Evans	McDowall	Sinclair
Freeman	Mockler	Shirley
Ganssle	Monek	

Mr. White voted in the negative.

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Adams moved

That the vote by which House Bill No. 243 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 80,

A bill for an act entitled: "An act defining the duties of district school boards in relation to the planting, cultivation and protection of trees and shrubs upon school house grounds.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 42, nays 34, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Putnam
Adams	Graham	Sorley of Grand Forks
Anderson, Grand F'rks	Halaas	Sorlie of Traill
Anderson, O. P. N.	Hankinson	Storey
Blegen	Haugen	Streeter
Burgum	Hemmingsen	Swendseid
Buttz	Hosford	Syvertson
Church	Law	Treat
Collins	Mockler	Tufte
Cunningham	Moore	Ueland
Dibley	Murphy	Wake
Duncan	Oveson	Wedge
Elhard	Peake	White
Flamer	Pugh	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Hanson	Plath
Brotnov	Jensen	Purdon
Carter	Johnson of Pembina	Restemayer
Chapman	Jones of Barnes	Schlenker
Connolly	Martin of Morton	Stavens
Dean	Mathews	Steen
Freeman	Midgarden	Thoreson
Garden	Miller	Tofsrud
Grant	Morin	Walker
Griffith	Nelson of Steele	Watts
Hallick	Nelson of Trail	Welford
Hanawalt		

Absent and not voting:

Messrs.—

Anderson, Bernt
Andrus
Brodie
Burdick
Casey
Crawford
Evans
Ganssle

Messrs.—

Giedt
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Billings
McDowall
Monek
Parkhill

Messrs.—

Piper
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sinclair
Shirley
Stevens

Messrs. Giedt, Shannafelt and Shirley being excused.
So the bill was lost.

Mr. Blake moved

That the vote by which Senate Bill No. 80 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion was lost.

The speaker in the chair.

Senate Bill No. 134,

A bill for an act establishing and naming a state flower for the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 75, nays 3, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer
Garden
Gibbens
Graham
Griffith
Halaas

Messrs.—

Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Plath
Pugh

Messrs.—

Purdon
Putnam
Restemayer
Rose of Dickey
Schlenker
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stavens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—
Freeman

Messrs.—
Grant

Messrs.—
Welford

Absent and not voting:

Messrs.—

Anderson, Bernt
Andrus
Brodie
Burdick
Casey
Crawford
Evans
Ganssle

Messrs.—

Giedt
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Billings
McDowall
Monek

Messrs.—

Parkhill
Piper
Rohs of Morton
Shannafelt
Simpson
Sinclair
Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which Senate Bill No. 134 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Buttz gave notice that on Monday he would move the reconsideration of the vote by which Senate Bill No. 80 was lost.

Senate Bill No. 48,

A bill for an act to repeal sections 395, 396, 397, 398 and 399 of the Revised Codes of 1905, relating to state weather bureau.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Eaugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore

Messrs.—

Putnam
Restemayer
Rose of Dickey
Schlenker
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte

Messrs.—

Duncan
Elhard
Flamer
Freeman
Garden
Gibbens
Graham
Grant
Griffith

Messrs.—

Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Plath
Pugh
Purdon

Messrs.—

Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Bernt
Andrus
Brodie
Burdick
Casey
Crawford
Evans
Ganssle

Messrs.—

Giedt
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Law
Martin of Billings
McDowall
Monek

Messrs.—

Parkhill
Piper
Rohs of Morton
Shannafelt
Simpson
Sinclair
Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 48 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 15,

A bill for an act providing for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays none, absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Martin of Morton
Mathews
Midgarden

Messrs.—

Putnam
Restemayer
Rose of Dickey
Schlenker
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson

Messrs.—	Messrs.—	Messrs.—
Cunningham	Miller	Tofsrud
Dean	Mockler	Treat
Dibley	Moore	Tufte
Duncan	Morin	Ueland
Elhard	Murphy	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Garden	Oveson	Wedge
Gibbens	Peake	Welford
Graham	Plath	White
Grant	Pugh	Mr. Speaker
Griffith	Purdon	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Giedt	Parkhill
Andrus	Johnson of Sargent	Piper
Brodie	Johnson of Ward	Rohs of Morton
Burdick	Jones of Ransom	Shannafelt
Casey	Law	Simpson
Crawford	Martin of Billings	Sinclair
Evans	McDowall	Shirley
Ganssle	Monek	

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 15 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 136,

A bill for an act to amend section 2625 of the Revised Codes of 1905, relative to fees for interpreters.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Purdon
Adams	Halaas	Putnam
Anderson, Grand F'rks	Hallick	Restemayer
Anderson, O. P. N.	Hanawalt	Rose of Dickey
Blake	Hankinson	Schlenker
Blegen	Hanson	Sorley of Grand Forks
Brotnov	Haugen	Sorlie of Traill
Burgum	Hemmingsen	Stavens
Buttz	Hosford	Steen
Carter	Jensen	Stevens
Chapman	Johnson of Pembina	Storey
Church	Jones of Barnes	Swendseid

Messrs.—	Messrs.—	Messrs.—
Collins	Law	Syvertson
Connolly	Martin of Morton	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Treat
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Peake	Welford
Graham	Plath	Mr. Speaker
Grant	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Johnson of Sargent	Piper
Andrus	Johnson of Ward	Rohs of Morton
Brodie	Jones of Ransom	Shannafelt
Burdick	Martin of Billings	Simpson
Casey	McDowall	Sinclair
Crawford	Monek	Shirley
Evans	Murphy	Streeter
Ganssle	Oveson	White
Giedt	Parkhill	

Messrs. Giedt, Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 136 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 94,

A bill for an act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays none, absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Restemayer
Adams	Halaas	Rose of Dickey
Anderson, Grand F'rks	Hanawalt	Schlenker
Anderson, O. P. N.	Hankinson	Sorley of Grand Forks
Blake	Hanson	Sorlie of Traill
Blegen	Haugen	Stavens
Brotnov	Hemmingsen	Steen
Burgum	Hosford	Stevens
Buttz	Jensen	Storey

Messrs.—

Carter
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer
Freeman
Garden
Gibbens
Graham
Grant

Messrs.—

Johnson of Pembina
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Trail
Peake
Plath
Pugh
Putnam

Messrs.—

Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Bernt
Andrus
Brodie
Burdick
Casey
Crawford
Evans
Ganssle
Giedt

Messrs.—

Hallick
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Billings
McDowall
Monek
Murphy
Oveson

Messrs.—

Parkhill
Piper
Purdon
Rohs of Morton
Shannafelt
Simpson
Sinclair
Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 94 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 10,

A bill for an act requiring railroad companies to report all wrecks and casualties wherein any person is injured or killed, to the railroad commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays none, absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Blake

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson

Messrs.—

Purdon
Putnam
Rose of Dickey
Schlenker
Sorley of Grand Forks

Messrs.—	Messrs.—	Messrs.—
Blegen	Hanson	Sorlie of Traill
Brotnov	Haugen	Stavens
Burgum	Hemmingsen	Steen
Buttz	Hosford	Stevens
Carter	Jensen	Storey
Chapman	Johnson of Pembina	Streeter
Church	Law	Swendseid
Collins	Martin of Morton	Syvertson
Connolly	Mathews	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Dibley	Mockler	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Trail	Wedge
Garden	Peake	Welford
Gibbens	Plath	White
Graham	Pugh	Mr. Speaker
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Johnson of Sargent	Parkhill
Andrus	Johnson of Ward	Piper
Brodie	Jones of Barnes	Restemayer
Burdick	Jones of Ransom	Rohs of Morton
Casey	Martin of Billings	Shannafelt
Crawford	McDowall	Simpson
Evans	Monek	Sinclair
Ganssle	Murphy	Shirley
Giedt	Oveson	Watts

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 10 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Was read the third time.

STEERING COMMITTEE.

The speaker appointed the steering committee, to consist of Messrs. Sorley of Grand Forks, Peake, Rose, Ueland, Burgum, Casey, Streeter, Putnam, Wake, Haugen, Graham.

On request of Mr. Ueland the privileges of the floor were extended to Mr. C. E. Larson of LaMoure county.

Mr. Stevens moved

That the house take a recess until 10 o'clock Monday morning.

Which motion prevailed, and

The house took a recess until 10 o'clock Monday morning.

P. D. NORTON,
Chief Clerk.

FIFTY-FOURTH DAY—AFTER RECESS
AND
FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

The house assembled at 10 o'clock pursuant to recess taken.

There being no objections the house returned to the Fourth order of business.

PRESENTATION OF PETITIONS AND COMMUNICA-
TIONS.

Messrs Stevens and Mockler presented the following petitions:

The Honorable Members of the House of Representatives:

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

GEO. A. WELCH,
And 125 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House

Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

C. E. CRUM,
And 59 Others.

We, the undersigned freeholders of the county of Burleigh hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

WM. E. BREEN,
And 8 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

F. LANGDONFELDER,
And 29 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

J. E. SEBREY,
And 12 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

JOHN WRAY,
And 30 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. No. 208, the same being an act to amend the present herd law of the state of North Dakota.

HOWARD DUTTON,
And Ninè Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

J. W. FRIDDLE,
And 16 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

WM. BRITTIN,
And 11 Others.

We, the undersigned freeholders of the county of Burleigh, hereby respectfully petition that you defeat House Bill No. 208, the same being an act to amend the present herd law of the state of North Dakota.

GEO. MANLY.

THIRD READING OF HOUSE BILLS.

The speaker called Mr. Duncan to the chair.

House Bill No. 208,

A bill for an act entitled an act to amend section 1933 of the revised codes of 1905, relating to when stock may run at large.

Was read the third time.

Mr. Mockler asked unanimous consent to amend House Bill No. 208.

There being no objections

Mr. Mockler moved that

Provided that the amendment made in this section shall not take effect until the same shall have been submitted to the voters at the next general election, and it is hereby made the duty of the county commissioners of all counties affected by this bill to provide for such submission. And the provisions of this act binding on the counties only who adopt the provisions hereof.

Which motion prevailed.

The question being on the final passage of the bill as amended;

The roll was called and there were ayes 84, nays 3, absent and not voting 12, passed 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Haugen

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Schlenker

Messrs.—	Messrs.—	Messrs.—
Blake	Hosford	Shannafelt
Blegen	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Stavens
Carter	Law	Steen
Casey	Martin of Billings	Stevens
Chapman	Martin of Morton	Storey
Church	Mathews	Swendseid
Collins	McDowall	Syvertson
Connolly	Midgarden	Thoreson
Crawford	Miller	Tofsrud
Cunningham	Mockler	Treat
Dean	Monek	Tufte
Dibley	Murphy	Ueland
Duncan	Nelson of Traill	Wake
Elhard	Nelson of Steele	Walker
Freeman	Oveson	Watts
Ganssle	Parkhill	Wedge
Garden	Peake	Welford
Gibbens	Piper	White
Graham	Plath	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hankinson	Hemmingsen	Jones of Barnes

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Rohs of Morton
Brotnov	Hanson	Sorlie of Traill
Evans	Jones of Ransom	Shirley
Flamer	Moore	Streeter

Mr. Morin passed.

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Stevens moved

That the vote by which House Bill No. 208 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant:

Was read the third time.

Mr. Buttz asked unanimous consent to amend the bill.

There being no objection Mr. Buttz offered the following amendment and moved its adoption:

After the word "upon" in line 2, section 1, of printed bill, insert the following: "A hiring at a monthly rate is to be presumed to be for one month or such number of months as may be agreed upon; a hiring for the

season shall be presumed to be from the date of such hiring to November 1st of the year of such hiring."

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 84, nays 3, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Plath
Adams	Hankinson	Pugh
Anderson, Bernt	Haugen	Purdon
Anderson, O. P. N.	Hemmingsen	Putnam
Andrus	Hosford	Restemayer
Blegen	Jensen	Rose of Dickey
Burdick	Johnson of Pembina	Schlenker
Burgum	Johnson of Sargent	Shannafelt
Buttz	Johnson of Ward	Simpson
Carter	Jones of Barnes	Sinclair
Casey	Law	Sorley of Grand Forks
Chapman	Martin of Morton	Sorlie of Traill
Church	Martin of Billings	Stavens
Collins	Mathews	Steen
Connolly	McDowall	Stevens
Crawford	Midgarden	Storey
Cunningham	Miller	Streeter
Dean	Mockler	Swendseid
Duncan	Monek	Syvertson
Elhard	Moore	Thoreson
Freeman	Morin	Tufte
Ganssle	Murphy	Ueland
Gibbens	Nelson of Steele	Wake
Graham	Nelson of Traill	Walker
Grant	Oveson	Watts
Griffith	Parkhill	Wedge
Halaas	Pecko	Welford
Hallick	Piper	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Blake	Brotnov

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Shirley
Dibley	Hanson	Tofsrud
Evans	Jones of Ransom	Treat
Flamer	Rohs of Morton	Mr. Speaker
Garden		

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Collins moved

That the vote by which House Bill No. 210 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks asked unanimous consent to make a motion relating to Senate Bill No. 55.

There being no objections

Mr. Sorley moved

That the vote by which Senate Bill No. 55 was indefinitely postponed be re-considered and that the bill be recalled from the senate.

Which motion prevailed.

REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Also,

House Bill No. 238,

A bill for an act to amend section 4641 of the Revised Codes of 1905, relative to capitol stock of banking corporations.

Also,

House Bill No. 317,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Also,

House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Also,

House Bill No. 331,

A concurrent resolution amending the constitution of the

state of North Dakota, relating to the election and term of office of railroad commissioners.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

House Bill No. 317,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 84, nays 3, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Piper
Adams	Hanawalt	Plath
Anderson, Grand F'rks	Hankinson	Purdon
Anderson, Bernt	Haugen	Putnam
Anderson, O. P. N.	Hemmingsen	Rose of Dickey
Andrus	Hosford	Schlenker
Blake	Jensen	Shannafelt
Blegen	Johnson of Pembina	Simpson
Brotnov	Johnson of Sargent	Sinclair
Burdick	Johnson of Ward	Sorley of Grand Forks
Burgum	Jones of Barnes	Sorlie of Traill
Buttz	Law	Stavens
Carter	Martin of Morton	Steen
Casey	Martin of Billings	Stevens
Chapman	Mathews	Storey
Church	McDowall	Streeter
Collins	Midgarden	Swendseid
Connolly	Miller	Thoreson
Crawford	Mockler	Tofsrud
Cunningham	Monek	Treat
Dean	Moore	Tufte
Dibley	Morin	Ueland
Duncan	Murphy	Wake
Elhard	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Grant	Oveson	Wedge
Griffith	Parkhill	Welford
Halaas	Peake	White

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Ganssle	Graham	Syverson

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Restemayer
Evans	Hanson	Rohs of Morton
Flamer	Jones of Ransom	Shirley
Garden	Pugh	Mr. Speaker
Gibbens		

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tofsrud moved

That the vote by which House Bill No. 317 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Haugen moved

That the rules be suspended and that the balance of the house bills on the calendar for third reading be taken up.

Which motion prevailed, and

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were :

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Parkhill
Adams	Griffith	Peake
Anderson, Grand F'rks	Halaas	Piper
Anderson, Bernt	Hallick	Plath
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rose of Dickey
Blake	Haugen	Shannafelt
Blegen	Hemmingsen	Simpson
Brodie	Hosford	Sorley of Grand Forks
Brotnov	Jensen	Sorlie of Traill
Burdick	Johnson of Pembina	Stavens
Burgum	Johnson of Sargent	Steen
Buttz	Johnson of Ward	Stevens
Carter	Jones of Barnes	Storey
Casey	Law	Streeter
Chapman	Martin of Morton	Swendseid

Messrs.—

Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Freeman
Ganssle
Garden
Graham

Messrs.—

Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Syvertson
Thoreson
Tofsrud
Treat
Tuft
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Evans
Flamer
Gibbens
Giedt
Hanson

Messrs.—

Jones of Ransom
Pugh
Purdon
Putnam
Rohs of Morton

Messrs.—

Schlenker
Sinclair
Shirley
Mr. Speaker

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 340 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick

Messrs.—

Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward

Messrs.—

Pugh
Purdon
Restemayer
Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens

Messrs.—

Burgum
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Freeman
Ganssle
Garden
Graham
Grant
Griffith

Messrs.—

Jones of Barnes
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Plath

Messrs.—

Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Aaker
Buttz
Evans
Flamer
Gibbens

Messrs.—

Giedt
Halaas
Hanson
Jones of Ransom
Murphy

Messrs.—

Piper
Putnam
Rohs of Morton
Schlenker
Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Chapman moved

That the vote by which House Bill No. 167 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 331,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the election and term of office of railroad commissioners.

Was read the third time,

Mr. Sorley of Grand Forks moved

That the further consideration of the bill be referred to the railroad committee.

Which motion prevailed, and

The bill was so referred.

House Bill No. 238,

A bill for an act to amend section 4641 of the Revised Codes of 1905, relative to capital stock of banking corporations.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 9, nays 80, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Monek	Stevens
Hankinson	Peake	Treat
Martin of Billings	Pugh	Wedge

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Purdon
Adams	Grant	Putnam
Anderson, Bernt	Griffith	Restemayer
Anderson, O. P. N.	Halaas	Rose of Dickey
Andrus	Hallick	Schlenker
Blake	Hanawalt	Shannafelt
Blegen	Haugen	Simpson
Brotnov	Hemmingsen	Sinclair
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Storey
Chapman	Martin of Morton	Streeter
Church	Mathews	Swendseid
Collins	McDowall	Syvertson
Connolly	Midgarden	Thoreson
Crawford	Miller	Tofsrud
Cunningham	Mockler	Tufte
Dean	Moore	Ueland
Dibley	Morin	Wake
Duncan	Murphy	Walker
Elhard	Nelson of Steele	Watts
Freeman	Nelson of Traill	Welford
Ganssle	Oveson	White
Garden	Plath	Mr. Speaker
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hanson	Parkhill
Evans	Johnson of Sargent	Piper
Flamer	Jones of Ransom	Rohs of Morton
Giedt	Law	Shirley

Messrs. Giedt, Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Peake moved

That the vote by which House Bill No. 238 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objection the house returned to the Fifth order of business.

REPORT OF STANDING COMMITTEES

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred.

House Bill No. 267,

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the Revised Codes of 1905, relating to the removal of county seats."

Have had the same under consideration and recommend that the same be indefinitely postponed.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved
That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Have had the same under consideration and recommend that the same be amended as follows:

In line 16 of the printed bill insert the following: "Provided that when payments are made before due they shall be made at an interest paying date and one year's interest in advance shall be paid on all moneys so paid."

In line 30 of the printed bill after the word "shall" insert the following: "If the board of university and school lands so determine."

Line 33, after the word "Dakota" insert the word "that."

In line 34 after the word "for" insert the following: "Except as to interest."

And when so amended recommend the same do pass.

O. J. SORLIE,
Chairman.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Have had the same under consideration and recommend that the same do pass.

J. F. TREAT,
Chairman.

Mr. Treat moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. N. MIDGARDEN,
Chairman.

Mr. Midgarden moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The speaker in the chair.

Mr. Sorley of Grand Forks moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Harris.

Roll call.

All members present except Messrs. Giedt and Shirley who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 4, 1907.

Mr. Speaker:

I have the honor to transmit herewith ,

Senate Bill No. 294,

A bill for an act to amend and re-enact section 40 of the Revised Codes of 1905.

Also,

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Also,

Senate Bill No. 311,

A bill for an act to prohibit discrimination between different sections, communities or localities; unfair competition, and providing penalties for the violation thereof.

Also,

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Also,

Senate Bill No. 53,

A bill for an act relating to the provisions of life insurance policies.

Also,

Senate Bill No. 61,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Also,

Senate Bill No. 177,

A bill for an act relating to the annual reports of life insurance companies.

Also,

Senate Bill No. 254,

A bill for an act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing the penalty for the violation of its provisions.

Also,

Senate Bill No. 184,

A bill for an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.

Also,

Senate Bill No. 173,

A bill for an act relating to the salaries of officers and agents of life insurance companies.

Also,

Senate Bill No. 178,

A bill for an act prohibiting corporations or stock companies acting as agents or solicitors for life insurance companies.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

Mr. Sorley of Grand Forks moved

That Senate Bill No. 109 be placed upon its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 4, 1907.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 55,

A bill for an act to provide for the making official of certain county records.

As requested by the house.

Very respectfully,

J. W. FOLEY,

Secretary.

Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, Bernt	Hanawalt	Putnam
Anderson, O. P. N.	Hankinson	Restemayer
Andrus	Haugen	Rose of Dickey
Blake	Hemmingsen	Schlenker
Blegen	Hosford	Shannafelt
Brodie	Jensen	Simpson
Brotnov	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Trail
Buttz	Jones of Barnes	Stavens
Carter	Jones of Ransom	Steen
Casey	Law	Stevens
Chapman	Martin of Morton	Storey
Collins	Mathews	Streeter
Connolly	McDowall	Swendseid
Crawford	Midgarden	Syverson
Cunningham	Mockler	Thoreson
Dean	Monek	Tofsrud
Dibley	Moore	Treat
Duncan	Morin	Tufte
Elhard	Murphy	Ueland
Freeman	Nelson of Steele	Wake
Ganssle	Nelson of Traill	Walker
Garden	Oveson	Watts
Gibbens	Parkhill	Welford
Graham	Peake	White
Grant	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Hanson	Rohs of Morton
Evans	Martin of Billings	Shirley
Flamer	Miller	Wedge
Giedt		

Messrs. Giedt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which Senate Bill No. 109 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That Senate Bill No. 55 be referred to the committee on judiciary.

Which motion prevailed, and

The bill was so referred.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the Fifty-third day have carefully examined the same and recommend that the same be corrected as follows:

Page 19, line 29, after word "to" insert word "be."

Page 24, line 20, strike out incomplete word at the end of said line and insert the following words: "dissemination of information."

Page 30, strike out all after word "insurance" in line 27 and insert the words "premiums becoming delinquent during the years of redemption."
Page 41, line 2 from foot of page, change figures "30" to "29;" and figures "61" to "62."

Page 42, in roll call strike out name "Haugen" from affirmative and insert same in negative list.

Page 31, strike out line 7 and insert the following: "And when so amended recommend the same do pass."

Page 47, line 5, strike out all after the word "railroad" and insert the word "companies."

Page 48, strike out line 4 from foot of page and insert the following: "That the report be adopted."

Page 31, line 39, after word "apply" insert word "and."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee on revision and correction of the journal of the Fifty-fourth day have carefully examined the same and recommend that the same be corrected as follows:

Page 6, at the end of line 19 add the words "of the state examiner."

Page 71, line 30, after word "title" insert word "was."

Page 34, line 29, change word "present" to "absent."

Also, in line 30, after figures "16" add "passed 1."

Page 47, line 10, after word "title" insert word "was."

Page 48, line 14, after word "title" insert word "was."

Page 52, line 2 from foot of page, change "demonstrating" to "demonstration."

Page 58, line 8, strike out word "and."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr Speaker:

Your committee on engrossment have examined
House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905, relating to property exempt from taxation.

Also,

House Bill No. 208,

A bill for an act entitled an act to amend section 1903, of the Revised Codes of 1905, relating to when stock may run at large.

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

And find the same correctly re-engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Have had the same under consideration and recommend that the same do pass.

T. O. BURGUM,
Chairman.

Mr. Burgum moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

Senate Bill No. 334,
A concurrent resolution.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,
Chairman.

Mr. O. J. Sorlie moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

MAJORITY REPORT.

The committee on banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred
Senate Bill No. 259,

A bill for an act to amend and re-enact sections 4639-4658 and 4662 of chapter 21, of the Revised Codes of 1905, relating to banking corporations.

Have had the same under consideration and recommend that the same be amended as follows:

By adding the following after the word "court" in line 18 of page 3 of said printed bill: "This act shall not apply to building and loan associations organized under the laws of the state of North Dakota and doing business pursuant to its charter, its articles of incorporation and by-laws, duly filed with the secretary of state."

And when so amended recommend the same do pass.

R. C. WEDGE,
Chairman.

Referred to committee of the whole.

MINORITY REPORT.

The committee on banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred

Senate Bill No. 259,

A bill for an act to amend and re-enact sections 4639-4658 and 4662 of chapter 21, of the Revised Codes of 1905, relating to banking corporations.

Have had the same under consideration and recommend that the same do pass.

R. C. WEDGE,
Chairman.

Referred to committee of the whole.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 333,

A bill for an act to re-enact sections 2169, 2170, 2173 and 2174 of the Revised Codes of North Dakota of 1905, relating to automobiles, steam cars and motor cycles.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. E. BLAKE,
Chairman.

Mr. Blake moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred

House Bill No. 250,

A bill for an act to amend section 2432 of the Revised Codes of North Dakota 1905 relating to the publishing of the proceedings of the board of county commissioners and designating the official newspapers for the county.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. TUFTE,
Chairman.

Mr. Tufte moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

The committee on judiciary made the following report:
Mr. Speaker:

Your committee on judiciary to whom was referred
Senate Bill No. 55,
A bill for an act to provide for the making official of certain county records.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title and substitute therefor the following: "A bill for an act to provide for the making of certain abstracts of title prima facie evidence of title and to provide for the recording of the same."

In line 5 of section 1, printed bill, strike out the following: "And are the official records of the county," and insert in lieu thereof the following: "Prima facie evidence of title and any regularly certified abstract may be recorded as are other instruments."

In line 3 of section 2 strike out the word "should" and insert in lieu thereof "shall."

In line 3 of section 1 strike out the following: "records of the" and insert in lieu thereof the words "abstract of a."

And when so amended recommend the same do pass.

J. A. SORLEY,
Chairman.

Also,

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved
That the report be adopted,
Which motion prevailed and
The report of the committee was adopted.

Also,

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facie evidence of the indebtedness sued on.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

Also,

Senate Bill No. 221,

A bill for an act entitled an act concerning artesian wells and the regulation and acquirement of rights to the use of water therefrom.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Have had the same under consideration and recommend that the same do pass.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 114,

A bill for an act to create superior courts in county seat cities or over two thousand population, fixing the jurisdiction and practice thereof and providing officers and compensation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on temperance made the following report:
Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 336,

A bill for an act to amend section 9353 of the Revised Codes of 1905 relating to prohibition.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ARNE P. HAUGEN,
Chairman.

Mr. Haugen moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 341,

A bill for an act to amend section 9354 (chapter 65 of the Penal Code), Revised Codes of the state of North Dakota of 1905, relating to druggist's permits, and how the same may be obtained.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ARNE P. HAUGEN,

Chairman.

Mr. Haugen moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 4, 1907.

Mr. Speaker:

I have the honor to return herewith.

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Which the senate has amended as follows:

In section 1, line 2, of the printed bill, after the word "state" insert the words "except branch lines that may hereafter be constructed." Also, in section 1, line 8, of the printed bill, after the word "one" insert the word "local." Also, after the word "passenger" at the end of section 1 of the printed bill add the words "for each and every violation of the provisions of this section the railroad company shall be subject to a fine of five hundred dollars."

Also, in section 2, line 10, of the printed bill, strike out the word "one" and insert the word "two" in lieu thereof; also, in section 2, line 12, of the printed bill, after the word "provided" insert the word "further;" also, in section 2, line 21, of the printed bill, strike out the words "double the value of such freight" and insert the words "the sum of one hundred dollars;" also, in section 2, line 32, of the printed bill, after the word "action" insert the words "upon payment as above provided the railroad corporation shall become at once the absolute owner of said property."

Also, in section 4, line 9, of the printed bill, after the word "scheduled" insert the word "local;" also, in section 4, line 20, of the printed bill, after the word "scheduled" insert the word "local."

Also,

Also, strike out section 7 and insert in lieu thereof the following: "Nothing in this act contained shall in any manner be construed as repealing or in any manner altering any other act, or part of act, heretofore adopted by the legislature of this state, but the remedies herein provided shall be cumulative to all other remedies now existing."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That, for the purpose of promoting and perpetuating the love of home, country and flag among American citizens wherever dispersed upon the face of the earth, the president of the United States be, and is hereby, respectfully requested to issue, thirty days prior to the Fourth of July, 1907, and upon the same day every year thereafter, a proclamation to the following effect:

That at one o'clock p. m., Washington time, July the fourth, or such other time on that day as may seem most expedient, and at the same hour in all other climes and countries according to the separate divisions of standard time within the United States and as calculated by astronomical deduction elsewhere throughout the globe, American citizens be urged to assemble in such groups or assemblages as may be most convenient and unite in singing "Home Sweet Home," "America" and "Star Spangled Banner," and that military, marine and other bands, wherever possible, render the notes of these inspiring airs in military establishments, upon warships and in civic assemblages of citizens, that the echoes of these patriotic and exalting airs may be heard at the same hour and minute around the world, and be it further

Resolved, That this suggestion be conveyed to the president of the United States by the secretary of state of North Dakota through a copy of these resolutions properly engrossed.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Stevens moved

That the house concur in the senate resolution relating to the love of the home, country and the flag.

Which motion prevailed.

Mr. Buttz moved

That the vote by which Senate Bill No. 80 was lost be reconsidered.

Which motion was lost.

A minority of the committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Have had the same under consideration and recommend that the same do pass.

F. E. DIBLEY,

W. F. SHANNAFELT.

Mr. Dibley moved

That the vote by which the committee report on Senate Bill No. 189 indefinitely postponing the same be reconsidered.

Which motion prevailed.

Mr. Mockler moved

That the house request the return of Senate Bill No. 189.

Which motion prevailed.

Mr. Halaas moved

That the vote by which House Bill No. 272 was indefinitely postponed be reconsidered and that the bill be referred to the steering committee.

Which motion was lost.

Mr. Stevens moved

That the house take up Senate Bill No. 72 and it be placed upon its third reading and final passage with the privilege of amending.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 171,

A bill for an act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Also,

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

Also,

Senate Bill No. 271,

A bill for an act to amend section 8149 of the 1905 Revised Codes of 1905, relating to examination of parties.

Also,

Senate Bill No. 60,

A bill for an act providing for and regulating the election of directors of mutual life insurance companies.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 72,

A bill for an act defining pools and trusts and providing the penalties and remedies therefor.

Was read the third time,

There being no objections Mr. Stevens offered the following amendment and moved its adoption:

“Strike out all of section 15 and make section 16 read section 15.”

Which motion prevailed, and
The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 87, nays 2, absent and not voting 10, passed 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Freeman
Ganssle
Garden
Gibbens
Grant
Griffith
Halaas

Messrs.—

Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Parnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake

Messrs.—

Piper
Plath
Pugh
Purdon
Restemayer
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Casey
Evans
Flamer
Giedt

Messrs.—

Graham
Hanson
Rohs of Morton

Messrs.—

Sorley of Grand Forks
Shirley
Watts

Messrs. Carter and Crawford voting in the negative.

Mr. Putnam passed.

Messrs. Giedt and Shirley being excused.

Mr. White moved

That the title be amended by adding the following:

And to repeal chapter 53 of the Penal Code of the Revised Codes of 1905.

Which motion prevailed, and

The amendment was adopted.

So the bill passed as amended and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 72 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and House Bill No. 169 be taken from general orders and placed upon its third reading and final passage, with the privilege of amending.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and House Bill No. 169 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Was read the third time,

Mr. Ueland offered the following amendment and moved its adoption:

In line 16 of the printed bill insert the following: "Provided, that when payments are made before due they shall be made at an interest paying date and one year's interest in advance shall be paid on all moneys so paid."

In line 30 of the printed bill after the word "shall" insert the following: "If the board of university and school lands so determine."

Line 33, after the word "Dakota" insert the word "that."

In line 34 after the word "for" insert the following: "except as to interest."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 51, nays 36, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Bernt

Anderson, O. P. N.

Blake

Messrs.—

Freeman

Ganssle

Gibbens

Halaas

Hallick

Messrs.—

Plath

Putnam

Schlenker

Shannafelt

Simpson

Messrs.—	Messrs.—	Messrs.—
Blegen	Hanawalt	Sorlie of Traill
Brodie	Haugen	Steen
Brotnov	Johnson of Sargent	Stevens
Burgum	Johnson of Ward	Storey
Buttz	Martin of Morton	Streeter
Carter	Martin of Billings	Thoreson
Chapman	Mathews	Tofsrud
Collins	Miller	Ueland
Crawford	Mockler	Wake
Cunningham	Moore	Wedge
Duncan	Morin	Welford
Elhard	Piper	Mr. Speaker

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Andrus	Jensen	Pugh
Burdick	Johnson of Pembina	Purdon
Church	Jones of Barnes	Restemayer
Connolly	Law	Sinclair
Dean	McDowall	Stavens
Dibley	Midgarden	Swendseid
Garden	Monek	Syverson
Grant	Nelson of Steele	Treat
Griffith	Nelson of Traill	Tufte
Hankinson	Oveson	Walker
Hemmingsen	Parkhill	Watts
Hosford	Peake	White

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Graham	Rohs of Morton
Casey	Hanson	Rose of Dickey
Evans	Jones of Ransom	Sorley of Grand Forks
Flamer	Murphy	Shirley
Giedt		

Messrs. Giedt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Gibbens moved

That the vote by which House Bill No. 169 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. O. P. N. Anderson moved

That Senate Bill No. 90 be re-referred to the committee on state affairs.

Which motion prevailed, and

The bill was so re-referred.

SPECIAL ORDER.

The speaker called Mr. Burgum to the chair.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 156;

A bill for an act to amend section 8083 of the Revised Codes of 1905, relating to inventory and appraisement of the decedent's estate.

Also,

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Also,

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

Also,

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten abstracts and briefs in certain criminal cases on appeal to the supreme court.

Also,

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendant of county asylum and poor farm.

Also,

Senate Bill No. 327,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Also,

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 25, absent and not voting 8, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Putnam
Anderson, Grand F'rks	Hankinson	Rose of Dickey
Anderson, Bernt	Haugen	Schlenker
Anderson, O. P. N.	Hemmingsen	Shannafelt
Brodie	Hosford	Sorley of Grand Forks
Brotnov	Jensen	Sorlie of Traill
Burdick	Jones of Barnes	Stevens
Burgum	Law	Steen
Casey	Martin of Morton	Storey
Chapman	Martin of Billings	Streeter
Church	Miller	Swendseid
Collins	Mockler	Syvertson
Connolly	Moore	Thoreson
Dean	Morin	Treat
Dibley	Nelson of Steele	Tufte
Duncan	Nelson of Traill	Ueland
Freeman	Oveson	Wake
Garden	Parkhill	Walker
Gibbens	Peake	Wedge
Graham	Piper	Welford
Grant	Plath	White
Griffith	Purdon	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanawalt	Murphy
Blake	Johnson of Pembina	Pugh
Buttz	Johnson of Sargent	Restemayer
Carter	Johnson of Ward	Simpson
Crawford	Jones of Ransom	Sinclair
Cunningham	Mathews	Stevens
Elhard	McDowall	Tofsrud
Ganssle	Monek	Watts
Hallick		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Flamer	Rohs of Morton
Blegen	Giedt	Shirley
Evans	Hanson	

Mr. Midgarden passed.

Messrs. Giedt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which House Bill No. 94 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

GENERAL ORDERS.

Mr. O. P. N. Anderson moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Garden to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

And recommend that the same be amended as follows:

In line 38, page 3 of the printed bill, insert the word "or" after the word "sub-contractor" and after the word "laborer" in the same line strike out the words "or material man;" and on the same page, line 39, after the word "performed" strike out the words "or material furnished."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

And recommend that the same be amended as follows:

After the word "much," in line 10 of the printed bill, add the following: "And the figures on said blackboard shall be changed at intervals of one hour to correspond with the facts until the arrival of such delayed train."

And when so amended recommend the same do pass.

Also,

House Bill No. 118.

A bill for an act to repeal section 9238 of the Revised Codes of North Dakota for 1905, being section 10 of chapter 188 of the Session Laws for 1905, relating to trusts, pools and combinations, and what is exempt.

And recommend that the same be amended as follows:

By striking out all after the enacting clause and insert in lieu thereof all of senate bill number 72 after the enacting clause.

And when so amended recommend the same be referred to the steering committee.

Also,

House Bill No. 330,

A bill for an act to amend sections 1310 and 1315 of the Revised Codes of 1905 relating to the law for aid of county fairs.

And recommend the same be indefinitely postponed.

Also,

House Bill No. 337,

A bill for an act to amend section 364 of the Revised Codes of North Dakota for 1905 relating to the board of railroad commissioners.

And recommend that the same do pass.

Also,

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

And recommend that the same do pass.

Also,

House Bill No. 249,

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as

a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

And recommend that the same be amended as follows:

Strike out all after the enacting clause, and insert in lieu thereof the following: "All provisions in any contract hereafter made for the sale of any article of commerce which seeks to prevent any purchaser from setting up as a defense or counterclaim in an action for the recovery of the purchase price of such article of commerce, defects existing at the time of purchase, are hereby declared to be against public policy and void."

And when so amended recommend the same do pass.

Also,

House Bill No. 328,

A bill for an act to regulate the width of sleighs, sleds and cutters used on public highways.

And recommend that the same be amended as follows:

In section 3 change the word "ten" to "five" and the word "fifty" to "twenty-five."

And when so amended recommend the same be indefinitely postponed.

Also,

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

And recommend that the same be amended as follows:

In line 11, section 1, of the printed bill, strike out the words "of lawful age" and insert in lieu thereof the words "who are legal voters."

And when so amended recommend the same do pass.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

And recommend that the same be amended as follows:

Strike out lines 27, 28, 29 and 30 as far as the word "further" in line 30, on page 2 of the printed bill, and insert in lieu thereof the following: "Provided, further, that whenever a school house is to be purchased, erected or constructed in a common school district, the school board shall consult with the county superintendent of schools and the county superintendent of health with regard to plans providing for the proper construction, lighting, heating and ventilation."

In line 32, on page 2 of printed bill, strike out the word "such."

On page 3 of the printed bill strike out all after the word "conditions," in line 39, and insert in lieu thereof the following: "And whenever the county superintendent shall report to said board of inspection that a school house or outbuilding is in an unsanitary or unsafe condition said board shall inspect the same and recommend to the district school board that such changes or repairs be made as are necessary to make such building or buildings sanitary, safe, and fit for school purposes."

And when so amended recommend the same do pass

E. L. GARDEN,
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

As requested by the house.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 4, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,

Secretary.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 53,

A bill for an act relating to the provisions of life insurance policies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 294,

A bill for an act to amend and re-enact section 40 of the Revised Codes of 1905.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 311,

A bill for an act to prohibit discrimination between different sections, communities or localities; unfair competition, and providing penalties for the violation thereof.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 178,

A bill for an act prohibiting corporations or stock companies acting as agents or solicitors for life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 173,

A bill for an act relating to the salaries of officers and agents of life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 254,

A bill for an act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing the penalty for the violation of its provisions.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 184,

A bill for an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 60,

A bill for an act providing for and regulating the election of directors of mutual life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 177,

A bill for an act relating to the annual reports of life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 61,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 271,

A bill for an act to amend section 7246 of the Revised Codes of 1905, relating to examination of parties.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised

Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 171,

A bill for an act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Was read the first and second times, and
Referred to the steering committee.

Also.

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 327,

A bill for an act to amend and re-enact section 3054 of the Revised Codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendent of county asylum and poor farm.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten ab-

stracts and briefs in certain criminal cases on appeal to the supreme court.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 156,

A bill for an act to amend section 8083 of the Revised Codes of 1905, relating to inventory and appraisement of the decedent's estate.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

Was read the first and second time, and

Referred to the steering committee.

Also,

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

Was read the first and second time, and

Referred to the steering committee.

Mr. Stevens moved

That the house take a recess until 7:30 o'clock this evening.

Which motion prevailed, and

The house took a recess until 7:30 o'clock this evening.

AFTER RECESS.

Mr. Miller moved a call of the house.

Which motion prevailed.

Roll call.

All members present except Messrs. Brodie, Ganssle, Jones of Ransom, Mathews, McDowall, Monek, Oveson, Sinclair.

Messrs. Giedt, Shirley, Brodie and McDowall being excused.

Mr. Burgum moved

That the sergeant-at-arms be instructed to forthwith bring before the bar of this house all of the absent members.
Which motion prevailed.

Mr. Ueland moved

That the further proceedings under the call of the house be dispensed with.

Which motion prevailed, and

The further proceedings of the call of the house was dispensed with.

GENERAL ORDERS.

Mr. Ueland moved

That the house resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The house resolved itself into a committee of the whole.

The speaker called Mr. Anderson of Grand Forks to the chair.

When the committee rose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration Senate Bill No. 168,

A bill for an act to amend sections 977 and 998 of the Revised Codes of 1905, relating to education.

And recommend the same be indefinitely postponed.

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and the board of township supervisors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

And recommend that the same be amended as follows:

Amend title of the bill by striking out the words "township surveyors" and insert in lieu thereof the words "the board of township supervisors."

In section 13, line 19 of the printed bill, strike out all after the word "required" and all of line 20 and up to and including the word "size" in line 21.

And when so amended recommend the same do pass.

Also,

House Bill No. 229,

A bill for an act to establish and permanently fix the state fair at Devils Lake, in Ramsey county, North Dakota, making appropriation therefor, and to repeal sections 1306 and 1307 of the Revised Codes of the state of North Dakota for the year 1905.

And recommend that the same be a special order for next Wednesday at 3 o'clock.

Also,

House Bill No. 236,

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

And recommend that the same be amended as follows:

In line 3 of section 1 of printed bill after the word "flax" strike out the word "three-eighths" and insert in lieu thereof "one-half."

In line 4 of section 1 of printed bill after the word "wheat" strike out "one-fourth" and insert in lieu thereof "three-eighths."

Amend by changing section 3 to section 5 and section 4 to section 6.

After section 2 amend by adding section 3, to read as follows: "It shall be the duty of the county auditor to extend taxes on the tax lists upon all grain mentioned in section 1 of this act as shown by the assessment roll, at the rate fixed by said section."

Amend by adding section 4, to read as follows: "All sums received or collected by the county treasurer under the provisions of this act shall be apportioned and distributed pro rata among the several funds: state, county, school, township and municipal, in proportion to the rates of taxation in taxing districts for which the same is collected."

Referred to steering committee.

Also,

House Bill No. 269,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

And recommend that the same be amended as follows:

In line 17, page 2, of the printed bill, strike out the word "two" and insert in lieu thereof the word "four."

And recommend that the same be referred to the steering committee.

Also,

House Bill No. 235,

A concurrent resolution.

And recommend that the same be amended as follows:

Strike out the words "six per cent" and insert in lieu thereof "five per cent," wherever it appears in the bill.

And recommend the same be referred to the steering committee.

Also,

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819, 836, 847, 879. 892. 912 of the Revised Codes of 1905, relating to education.

And recommend that the same be amended as follows:

By striking out all of section 7 after the word "suspension," in line 10 of page 6 of the printed bill, and that an emergency clause, as follows, be attached: "Whereas there is an emergency in this: that certain schools are to be erected under the provisions of this law immediately, therefore, this act shall take effect immediately after its passage and approval."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 23,

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any public service corporation, or any officer, agent or representative thereof, to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege, at rates less than charged the public, and prescribing penalties therefor.

And recommend the same be indefinitely postponed.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

And recommend that the same be amended:

By inserting at the end of section 1 of the bill the following: "Provided, that when they shall exercise the right of eminent domain they shall become subject to the laws, rules and regulations governing other public corporations having the right of eminent domain."

And when so amended recommend the same do pass.

Also,

House Bill No. 319,

A bill for an act to amend section 37, 43 and 44 of the Revised Codes of 1905 relating to public printing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

House bill No. 342,

A bill for an act to amend section 367 of the Revised Codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

And recommend the same do pass.

Also,

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

And recommend the same do pass.

J. M. ANDERSON,

Chairman.

Mr. Stevens moved

That the report of the committee indefinitely postponing Senate Bill No. 23 be adopted.

Roll call demanded.

The roll was called and there were ayes 48, nays 48, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Adams
Andrus
Brotnov
Burdick
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Dean
Dibley
Elhard
Evans
Flamer

Messrs.—

Gibbens
Giedt
Griffith
Hallick
Hanawalt
Hankinson
Hanson
Hosford
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Martin of Morton
Martin of Billings
Mathews
Miller
Mockler

Messrs.—

Monek
Murphy
Parkhill
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Stevens
Streeter
Treat
Wake
Watts
Wedge

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Haugen	Putnam
Anderson, Grand F'rks	Hemmingsen	Sorley of Grand Forks
Anderson, Bernt	Jensen	Sorlie of Traill
Anderson, O. P. N.	Johnson of Pembina	Stavens
Blake	Law	Steen
Blegen	Midgarden	Storey
Burgum	Moore	Swendseid
Casey	Morin	Syverson
Cunningham	Nelson of Steele	Thoreson
Duncan	Nelson of Traill	Tofsrud
Freeman	Oveson	Tufte
Ganssle	Feake	Ueland
Garden	Piper	Walker
Graham	Plath	Welford
Grant	Pugh	White
Halaas	Purdon	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	McDowall	Shirley
Jones of Ransom		

Messrs. Brodie, Jones of Ransom, McDowall and Shirley being excused.

So the motion was lost.

Mr. Burdick explained his vote.

Mr. Buttz explained his vote.

Mr. Stevens moved

That the balance of the report of the committee of the whole be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Nelson of Steele moved

That the vote by which House Bill No. 328 was lost be reconsidered.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That Senate Bill No. 23 be made a special order for tomorrow morning at 11 o'clock.

Which motion prevailed.

Mr. Johnson moved

That the house recall House Bill No. 116 from the senate for correction.

Which motion prevailed.

On request of Mr. Treat the privileges of the floor were extended to Mr. W. B. Douglas, Fargo, N. D.

On request of Mr. Streeter the privileges of the floor

were extended to Messrs. A. L. Geil and Frank Crawford of Hazelton.

On request of Mr. Stavens the privileges of the floor were extended to Hon. M. B. Cassell.

On request of Mr. Burdick the privileges of the floor were extended to Messrs. Ripley, Golf and Templeton.

On request of Mr. Brodie the privileges of the floor were extended to Messrs. Frank Lish and Professor Rader.

On request of Mr. Simpson the privileges of the floor were extended to Messrs. Harmon and Mann.

On request of Mr. Johnson of Ward the privileges of the floor were extended to Mr. Vic. Rose of Ward county.

On request of Mr. Martin of Billings the privileges of the floor were extended to Messrs. Burgess and Robinson of Billings and Mr. Phelan.

On request of Mr. Collins the privileges of the floor were extended to Messrs. Thompson, Alm and Grey.

Mr. Stevens moved

That the house take a recess until 10 o'clock tomorrow.

Which motion prevailed, and

The house took a recess until tomorrow morning at 10 o'clock.

P. D. NORTON,
Chief Clerk.

FIFTY-SIXTH DAY—AFTER RECESS
AND
FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

The house assembled at 10 o'clock pursuant to recess taken.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 116 was recalled from the senate be reconsidered.

Which motion prevailed.

Mr. Stevens moved

That Senate Bill No. 28 be taken from the files and re-referred to the committee on state affairs with the understanding that when it is reported back it is to retain its place on the calendar.

Which motion prevailed and

The bill was so referred.

The speaker called Mr. Rose of Dickey to the chair.

THIRD READING OF SENATE BILLS.

Senate Bill No. 77,

A bill for an act to amend section 5039 of the Revised Codes of 1905, relating to conveyances.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 2, absent and not voting 17, passed 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hankinson	Restemayer
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Schlenker
Brodie	Hosford	Shannafelt
Burdick	Johnson of Sargent	Simpson
Burgum	Johnson of Ward	Sinclair
Buttz	Jones of Ransom	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Chapman	Law	Stevens
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Connolly	Mathews	Syverson
Crawford	Midgarden	Thoreson
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Dibley	Monek	Wake
Duncan	Moore	Walker
Evans	Murphy	Watts
Flamer	Nelson of Traill	Welford
Ganssle	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Griffith	Shirley
Casey	Hanawalt	Ueland
Elhard	McDowall	Wedge
Freeman	Parkhill	White
Garden	Peake	Mr. Speaker
Graham	Sorley of Grand Forks	

Messrs. Gibbens and Pugh voted in the negative.

Messrs. Jensen, Johnson of Pembina, Morin, Nelson of Steele, Steen, Storey, Tofsrud passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 77 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 93,

A bill for an act entitled, "An act to amend section 746 of the Revised Codes of 1905, relating to the amount of population of cities and villages in which registration of voters is required."

Was read the third time.

Mr. Stevens moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 78,

A bill for an act to prohibit the soliciting of orders for the future delivery without this state of intoxicating liquors to be transported into this state, to be used or sold in violation of the laws thereof, and providing a penalty for its violation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 8, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Purdon
Adams	Halaas	Putnam
Anderson, Grand F'rks	Hankinson	Restemayer
Anderson, Bernt	Hanson	Rose of Dickey
Anderson, O. P. N.	Haugen	Schlenker
Andrus	Hemmingsen	Shannafelt
Blake	Hosford	Sinclair
Blegen	Jensen	Sorley of Grand Forks
Brotnov	Johnson of Pembina	Sorlie of Trail
Burdick	Johnson of Sargent	Stavens
Burgum	Johnson of Ward	Steen
Buttz	Jones of Barnes	Stevens
Carter	Jones of Ransom	Storey
Chapman	Law	Swendseid
Church	McDowall	Syvertson
Collins	Midgarden	Thoreson
Connolly	Miller	Tofsrud
Crawford	Monek	Tufte
Cunningham	Moore	Ueland
Dean	Morin	Wake
Dibley	Murphy	Walker
Duncan	Nelson of Steele	Watts
Flamer	Nelson of Traill	Wedge
Ganssle	Oveson	Welford
Garden	Piper	Mr. Speaker
Gibbens	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Simpson
Elhard	Martin of Morton	Streeter
Evans	Rohs of Morton	

Absent and not voting:

Messrs.—

Casey
Freeman
Graham
Griffith
Hallick

Messrs.—

Hanawalt
Martin of Billings
Mathews
Mockler
Parkhill

Messrs.—

Peake
Pugh
Shirley
Treat
White

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 78 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the report of the committee of the whole to indefinitely postpone Senate Bill No. 23 be adopted.

Roll call demanded.

The question being upon the report of the committee of the whole.

The roll was called and there were ayes 44, nays 55, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.—

Adams
Andrus
Brodie
Burdick
Buttz
Carter
Chapman
Church
Collins
Crawford
Dean
Dibley
Elhard
Evans
Flamer

Messrs.—

Giedt
Griffith
Hankinson
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Martin of Morton
Martin of Billings
Mathews
McDowall
Miller
Mockler
Monek
Murphy

Messrs.—

Parkhill
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Stevens
Streeter
Treat
Wake
Watts
Wedge

Those who voted in the negative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brotnov
Burgum
Casey
Connolly

Messrs.—

Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Law
Midgarden

Messrs.—

Pugh
Purdon
Putnam
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Swendseid
Syvertson

Messrs.—

Cunningham
Duncan
Freeman
Ganssle
Garden
Gibbens
Graham
Grant
Halaas

Messrs.—

Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Peake
Piper
Plath

Messrs.—

Thoreson
Tofsrud
Tufte
Ueland
Walker
Welford
White
Mr. Speaker

Mr. Shirley being absent and not voting.

Mr. Shirley being excused.

So the report of the committee was not adopted.

Mr. Sorley of Grand Forks moved

That Senate Bill No. 23 be made a special order for 3:30 o'clock Wednesday.

Which motion prevailed.

Senate Bill No. 63,

A bill for an act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled "Concentrated commercial feeding stuff," prescribing a penalty for the violation thereof, providing for the inspection, testing and analysis of said feeding stuffs; charging the North Dakota government agricultural experiment station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 1, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Pernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham

Messrs.—

Grant
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Law
Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Mockler

Messrs.—

Peake
Plath
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorlie of Trail
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud

Messrs.—

Dean
Duncan
Elhard
Flamer
Freeman
Ganssle
Gibbens
Giedt

Messrs.—

Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Treat
Tufte
Ueland
Wake
Walker
Wedge
Mr. Speaker

Absent and not voting:

Messrs.—

Blake
Casey
Dibley
Evans
Garden
Graham
Griffith

Messrs.—

Hanson
Johnson of Ward
Jones of Ransom
Mathews
Piper
Pugh

Messrs.—

Purdon
Schlenker
Sorley of Grand Forks
Shirley
Welford
White

Mr. Watts voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 63 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 57,

A bill for an act to prevent the adulteration and misbranding of foods and beverages, the selling of adulterated and unwholesome foods and beverages, and providing for the proper labeling of all foods and beverages.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays none, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Brotnov
Burdick
Buttz
Carter
Chapman
Church

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Law
Martin of Morton

Messrs.—

Piper
Plath
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen

Messrs.—

Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans.
Flamer
Ganssle
Garden
Gibbens
Giedt
Grant

Messrs.—

Martin of Billings
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Stevens
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Ueland
Wake
Walker
Watts
Wedge
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Blake
Burgum
Casey
Crawford
Freeman
Graham

Messrs.—

Griffith
Haugen
Johnson of Ward
Jones of Ransom
Mathews
Peake
Pugh

Messrs.—

Schlenker
Sorley of Grand Forks
Shirley
Storey
Treat
Tufte
White

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 57 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays none, absent and not voting 25, passed 2.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Burdick
Buttz
Carter

Messrs.—

Giedt
Halaas
Hallick
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Johnson of Pembina
Johnson of Sargent

Messrs.—

Plath
Purdon
Putnam
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorlie of Traill

Messrs.—

Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Jones of Barnes
Law
Martin of Billings
McDowall
Midgarden
Miller
Mockler
Monek
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Piper

Messrs.—

Stavens
Steen
Stevens
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Wake
Wedge
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Blake
Brotnov
Burgum
Casey
Evans
Graham
Grant
Griffith
Hanawalt

Messrs.—

Jensen
Johnson of Ward
Jones of Ransom
Martin of Morton
Mathews
Moore
Parkhill
Peake

Messrs.—

Pugh
Restemayer
Sorley of Grand Forks
Shirley
Storey
Tufte
Watts
White

Messrs. Aaker and Walker passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 33 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 137,

A bill for an act amending section 9245 relating to unauthorized wearing or use of badges, name, title of officers, insignia, ritual or ceremonies of certain orders and societies.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 74, nays 10, absent and not voting 14, passed 2.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Hankinson
Hanson
Haugen

Messrs.—

Putnam
Rohs of Morton
Rose of Dickey

Messrs.—

Andrus
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dibley
Duncan
Elhard
Flamer
Freeman
Garden
Gibbens
Halaas
Hanawalt

Messrs.—

Hemmingsen
Hosford
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Monek
Moore
Morin
Murphy
Nelson of Traill
Oveson
Piper
Plath
Pugh
Purdon

Messrs.—

Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Streeter
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Those who voted in the negative were:

Messrs.—

Anderson, Grand F'rks
Dean
Evans
Ganssle

Messrs.—

Grant
Hallick
Mockler

Messrs.—

Nelson of Steele
Stevens
Swendseid

Absent and not voting:

Messrs.—

Adams
Blake
Brotnov
Casey
Graham

Messrs.—

Jensen
Jones of Ransom
Mathews
Parkhill
Peake

Messrs.—

Restemayer
Shirley
Tufte
Mr. Speaker

Messrs. Giedt and Griffith passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 137 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 206,

A bill for an act defining a watercourse.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 10, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Putnam
Adams	Griffith	Restemayer
Anderson, Grand F'rks	Halaas	Rohs of Morton
Anderson, Bernt	Hallick	Rose of Dickey
Anderson, O. P. N.	Hanawalt	Schlenker
Andrus	Hanson	Shannafelt
Blegen	Haugen	Simpson
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Collins	Law	Swendseid
Connolly	Martin of Morton	Syvertson
Crawford	Midgarden	Thoreson
Cunningham	Mockler	Tofsrud
Dean	Moore	Treat
Dibley	Morin	Ueland
Elhard	Nelson of Traill	Wake
Flamer	Oveson	Walker
Ganssle	Parkhill	Watts
Garden	Peake	Wedge
Gibbens	Plath	Welford
Giedt	Pugh	White
Graham	Purdon	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Nelson of Steele
Evans	Monek	Piper
Hankinson	Murphy	Sinclair
Jones of Barnes		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	Jones of Ransom	Shirley
Brotnov	Mathews	Streeter
Casey	McDowall	Tufte
Duncan	Miller	Mr. Speaker
Freeman		

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 77 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 160,

A bill for an act to amend section 182 of the Revised Codes of 1905, relating to assignee of purchasers of school lands.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 82, nays 1, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Purdon
Anderson, Grand F'rks	Griffith	Putnam
Anderson, Bernt	Halaas	Rohs of Morton
Anderson, O. P. N.	Hallick	Rose of Dickey
Andrus	Hanawalt	Schlenker
Blake	Hemmingsen	Shannafelt
Blegen	Hosford	Simpson
Brodie	Johnson of Pembina	Sinclair
Burdick	Johnson of Sargent	Sorley of Grand Forks
Burgum	Johnson of Ward	Sorlie of Traill
Buttz	Jones of Barnes	Stavens
Carter	Law	Steen
Chapman	Martin of Morton	Stevens
Church	Martin of Billings	Storey
Collins	Midgarden	Streeter
Connolly	Miller	Swendseid
Crawford	Mockler	Syverson
Cunningham	Monek	Thoreson
Dean	Moore	Tofsrud
Dibley	Morin	Treat
Elhard	Murphy	Ueland
Evans	Nelson of Steele	Wake
Flamer	Nelson of Traill	Walker
Ganssle	Oveson	Watts
Garden	Piper	Wedge
Gibbens	Plath	Welford
Giedt	Pugh	White
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanson	Peake
Brotnov	Jensen	Restemayer
Casey	Jones of Ransom	Shirley
Duncan	Mathews	Tufte
Freeman	McDowall	Mr. Speaker
Hankinson	Packhill	

Mr. Haugen voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 160 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 151,

A bill for an act entitled "An act to prohibit unfair commercial discrimination between different sections, commu-

nities, or localities, or unfair competition, and providing penalties therefor.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 84, nays 2, absent and not voting 13, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Purdon
Adams	Grant	Putnam
Anderson, Grand F'rks	Griffith	Restemayer
Anderson, Bernt	Halaas	Rohs of Morton
Anderson, O. P. N.	Hallick	Rose of Dickey
Andrus	Hanawalt	Schlenker
Blake	Hankinson	Shannafelt
Blegen	Hanson	Simpson
Brodie	Haugen	Sinclair
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Jones of Barnes	Storey
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Martin of Billings	Syvertson
Cunningham	McDowall	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Morin	Wake
Flamer	Murphy	Walker
Ganssle	Nelson of Traill	Watts
Garden	Oveson	Wedge
Gibbens	Piper	Welford
Giedt	Pugh	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Mathews	Peake
Casey	Miller	Plath
Freeman	Moore	Shirley
Johnson of Ward	Parkhill	Mr. Speaker
Jones of Ransom		

Messrs. Dean and Ueland voting in the negative.

Mr. Nelson of Steele passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which Senate Bill No. 151 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 192,

A bill for an act regulating disbursements by life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 2, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Purdon
Anderson, Grand F'rks	Grant	Putnam
Anderson, Bernt	Griffith	Restemayer
Anderson, O. P. N.	Halaas	Rohs of Morton
Andrus	Hallick	Rose of Dickey
Blegen	Hanawalt	Schlenker
Brodie	Hankinson	Shannafelt
Brotnov	Hanson	Simpson
Burdick	Haugen	Sorley of Grand Forks
Burgum	Hemmingsen	Stavens
Carter	Hosford	Steen
Chapman	Jensen	Storey
Church	Johnson of Pembina	Streeter
Collins	Johnson of Sargent	Swendseid
Connolly	Jones of Barnes	Syvertson
Crawford	Law	Thoreson
Cunningham	Martin of Morton	Tofsrud
Dean	Martin of Billings	Treat
Dibley	Midgarden	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Morin	Walker
Flamer	Nelson of Steele	Watts
Freeman	Nelson of Traill	Wedge
Ganssle	Parkhill	Welford
Gibbens	Piper	White
Giedt	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	McDowall	Plath
Casey	Miller	Sinclair
Garden	Moore	Sorlie of Traill
Johnson of Ward	Murphy	Shirley
Jones of Ransom	Oveson	Stevens
Mathews	Peake	Mr. Speaker

Messrs. Aaker and Blake voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 192 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. O. P. N. Anderson moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

P. D. NORTON,
Chief Clerk.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Hover.

Roll call.

All members present except Mr. Shirley, who was excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-fourth day, after recess, have carefully examined the same and recommend that the same be corrected as follows:

First page, fifth line, change word "fifth" to "sixth."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-sixth day have carefully examined the same and recommend that the same be corrected as follows:

On first page, first line, change word "fifth" to "sixth."

Page 16, line 4, change word "several" to "severed."

Page 21, line 10, change number "234" to "334," with the proper title.

Page 28, line 23, complete the word "reconsidered."

Page 39, 4th line from foot of page, change word "several" to "severed."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Also,

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

House bill No. 342,

A bill for an act to amend section 367 of the Revised Codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

Also,

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Also,

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Also,

House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Also,

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Also,

House Bill No. 249,

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

Also,

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Also,

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Also,

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Also,

House Bill No. 337,

A bill for an act to amend section 364 of the Revised Codes of North Dakota for 1905 relating to the board of railroad commissioners.

And finds the same correctly engrossed.

O. S. AAKER,

Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your steering committee recommend the following bills to be put on their third reading and final passage in the following order:

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 271,

A bill for an act to amend section 7246 of the Revised Codes of 1905, relating to examination of parties.

Also,

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Also,

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendent of county asylum and poor farm.

Also,

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Also,

Senate Bill No. 156,

A bill for an act to amend section 8083 of the Revised Codes of 1905, relating to inventory and appraisement of the decedent's estate.

Also,

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Also,

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten abstracts and briefs in certain criminal cases on appeal to the supreme court.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Also,

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

With the following amendment:

In line 2 page 2 of the engrossed bill strike out the word "or" and insert in lieu thereof a comma (,) and after the

word "administrator" in same line add the words "or guardian."

Also,

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

J. A. SORLEY,

Chairman Steering Committee.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was re-referred

House Bill No. 331,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the election and term of office of railroad commissioners.

Have had the same under consideration and recommend that the same do pass.

G. A. WHITE,

Chairman.

Mr. White moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxation and tax laws made the following report:

Mr Speaker:

Your committee on taxation and tax laws to whom was referred

House Bill No. 8,

A bill for a law providing for the taxation of railroads, the collection of such taxes and repealing acts inconsistent therewith.

Have had the same under consideration and recommend that it be referred to the steering committee there to be considered with other bills.

O. T. TOFSRUD,

Chairman.

Also,

Senate Bill No. 161,

A bill for an act to mend section 1484 of the Political Code Revised Codes of North Dakota 1905.

Also,

Senate Bill No. 45,

A bill for an act defining and providing for the assessment of express companies.

Also,

House Bill No. 228,

A bill for an act providing for the election of tax collectors and for the collection of delinquent personal property taxes.

Also,

House Bill No. 310.

A bill for an act to amend sections 1571, 1576 and 1582 of the Revised Codes of the state of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. T. TOFSRUD,
Chairman.

Mr. Tofsrud moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bills was indefinitely postponed.

The committee on elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

Senate Bill No. 181,

A bill for an act to amend section 911 of the Revised Code of North Dakota for 1905, relating to notice of elections to vote bonds for school districts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 2,

A bill for an act for the election of United States Senators by popular vote.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 19,

A bill for an act to provide a method for the nomination of candidates for office by political parties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House bill No. 23.

A bill for an act to prohibit the use of money by corpora-

tions in elections and to prevent them from rendering any free service for any political purpose whatsoever.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. WATTS,
Chairman.

Mr. Watts moved

That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 180,

A bill for an act to repeal sections 2297, 2298 and 2299 of the Political Code as compiled in the Revised Codes of North Dakota for 1905, and to re-enact sections 2300, 2301 and 2302 of said chapter 28 of the said Political Code of North Dakota as compiled in the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 200,

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers, providing for its enforcement by the department of agriculture and labor.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

The committee on live stock made the following report:
Mr. Speaker:

Your committee on live stock to whom was referred

Senate Bill No. 310,

A bill for an act to regulate the public service of stallions and jacks in the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

A majority of the committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred
Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Recommend that the same be indefinitely postponed.

LIVY JOHNSON,
O. T. GRANT,
W. S. DEAN,
A. A. CUNNINGHAM,

A minority of the committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred
Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Recommend that the same do pass.

JAMES DUNCAN,
J. F. COLLINS,
H. E. MATHEWS.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred
Senate Bill No. 102,

A bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or substitute therefor, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Also,

House Bill No. 39,

A bill for an act to preserve the public health by regulating and prohibiting the use or feeding of unwholesome food products to live stock, poultry or animals used or kept for consumption as a food, and by providing for the inspection and quarantine of all live stock, hogs, poultry and other animals affected by any contagious or infectious disease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Also,

House Bill No. 185,

A bill for an act to prohibit and punish the sale, offering for sale or bringing into the state for the purpose of selling, cigarettes, cigarette paper or substitute for the same, and to prohibit and punish the use of cigarettes, cigars or tobacco by persons under 18 years of age, and to prohibit and punish the carrying or having by any person under 18 years of age of any cigarettes, cigars or tobacco, and to prohibit and punish the harboring of persons under 18 years of age, or permitting them to gather or frequent any place or premises to indulge in the use of cigarettes, cigars or tobacco, and to repeal section 9078 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted,
Which motion prevailed, and
The further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,
Chairman.

Mr. Garden moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 328,

A bill for an act to amend section 9765 of the Revised Codes of the state of North Dakota for 1905, relating to preliminary examinations.

Also,

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Also,

Senate Bill No. 172,

A bill for an act establishing standard forms in which policies of life insurance may be issued in this state and in which policies of life insurance companies organized

under the laws of this state may be issued; and regulating the conditions and provisions to be contained in policies of life insurance companies that do not adopt such standard forms.

Also,

Senate Bill No. 280,

A bill for an act entitled, "An act to amend subdivision 3 of section 7225 of the Revised Codes of North Dakota, relating to appeals to the supreme court from orders made in certain cases."

Also,

Senate Bill No. 203,

A bill for an act to regulate the employment and occupation of railway telegraphers by railroad companies, and establishing a board of telegraph examiners, and prescribing penalties for violation thereof.

Also,

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 212,

A bill for an act to amend section 28 of the Revised Codes of North Dakota of 1905, relating to legislative officers and employes and their compensation.

Also,

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Also,

Senate Bill No. 222,

A bill for an act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial or removal permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the state on the standard forms recommended by the United States bureau of the census and the American Public Health Association; and making an

appropriation for establishing and maintaining such a bureau and providing certain penalties.

Also,

Senate bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

Which the senate has passed and your favorable consideration thereof is respectfully requested.

Also,

I have the honor to return herewith

House Bill No. 218.

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to terms of office of township officers.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Stevens moved

That rule 24 be suspended for the balance of the session with the privilege of amending on third reading.

Which motion prevailed.

Mr. Ueland moved

That rule 37 be suspended for the balance of the session.

Which motion prevailed.

Mr. Stevens moved

That the house follow the calendar.

Which motion prevailed.

Mr. Mockler moved

That the vote by which Senate Bill No. 168 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 109,

A bill for an act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the Revised Codes of 1905, and repealing chapter 76 of the Laws of 1905, in so far as the same applies to the institution for feeble minded.

Also,

Senate Bill No. 94,

A bill for an act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Also,

Senate Bill No. 48,

A bill for an act to repeal sections 395, 396, 397, 398 and 399 of the Revised Codes of 1905, relating to state weather bureau.

Also,

Senate Bill No. 15,

A bill for an act providing for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.

Also,

Senate Bill No. 10,

A bill for an act requiring railroad companies to report all wrecks and casualties wherein any person is injured or **killed, to the railroad commissioners.**

Also,

Senate Bill No. 136,

A bill for an act to amend section 2625 of the Revised Codes of 1905, relative to fees for interpreters.

Also,

Concurrent resolution relating to Jamestown exhibition. And the speaker signed the same in the presence of the house.

The speaker called Mr. Pugh to the chair.

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 13, absent and not voting 11, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Brodie	Hankinson	Putnam
Burdick	Hanson	Restemayer
Burgum	Hemmingsen	Rohs of Morton
Carter	Hosford	Schlenker
Casey	Johnson of Pembina	Shannafelt
Chapman	Johnson of Ward	Simpson
Church	Jones of Barnes	Sinclair
Collins	Law	Sorley of Grand Forks
Connolly	Martin of Morton	Stavens
Crawford	Martin of Billings	Steen
Cunningham	Mathews	Stevens
Dean	McDowall	Streeter
Dibley	Midgarden	Syvertson
Duncan	Miller	Thoreson
Flamer	Mockler	Tofsrud
Freeman	Monek	Treat
Ganssle	Moore	Tufte
Garden	Morin	Wake
Gibbens	Murphy	Watts
Giedt	Nelson of Steele	Wedge
Graham	Nelson of Trail	Welford
Griffith	Parkhill	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Haugen	Sorlie of Trail
Blake	Johnson of Sargent	Storey
Blegen	Piper	Swendseid
Evans	Rose of Dickey	White
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Elhard	Peake
Adams	Jensen	Shirley
Brotnov	Jones of Ransom	Ueland
Buttz	Oveson	

Mr. Walker passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Dibley moved

That the vote by which House Bill No. 335 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 322,

A bill for an act to amend section 7045 of the Revised Codes of North Dakota of 1905 relating to when another judge may be called in for prejudice or bias.

Also,

House Bill No. 287,

A bill for an act to legalize certain foreclosures of real estate mortgages.

Also,

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Which the senate has indefinitely postponed.

Respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 6, absent and not voting 14, passed 1.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Messrs.—

Grant

Griffith

Halaas

Hallick

Hanawalt

Hankinson

Messrs.—

Nelson of Traill

Piper

Plath

Pugh

Purdon

Putnam

Messrs.—	Messrs.—	Messrs.—
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Burgum	Hemmingsen	Rose of Dickey
Carter	Hosford	Shannafelt
Chapman	Jensen	Simpson
Church	Johnson of Pembina	Sinclair
Collins	Johnson of Sargent	Sorley of Grand Forks
Connolly	Johnson of Ward	Sorlie of Traill
Crawford	Jones of Barnes	Stevens
Cunningham	Law	Streeter
Dibley	Mathews	Swendseid
Duncan	McDowall	Syverson
Elhard	Midgarden	Treat
Evans	Miller	Tufte
Flamer	Mockler	Ueland
Freeman	Monek	Wake
Ganssle	Moore	Watts
Garden	Morin	Wedge
Gibbens	Murphy	Welford
Graham	Nelson of Steele	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dean	Stavens	Storey
Peake	Steen	Tofsrud

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Jones of Ransom	Schlenker
Burdick	Martin of Morton	Shirley
Buttz	Martin of Billings	Thoreson
Casey	Oveson	Mr. Speaker
Giedt	Parkhill	

Mr. Walker passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Adams moved

That the vote by which House Bill No. 332 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Purdon
Adams	Grant	Putnam
Anderson, Grand F'rks	Halaas	Restemayer
Anderson, Eernt	Hallick	Rohs of Morton
Anderson, O. P. N.	Hanawalt	Rose of Dickey
Andrus	Hankinson	Shannafelt
Blake	Hanson	Simpson
Blegen	Haugen	Sinclair
Brodie	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Mathews	Syverson
Connolly	McDowall	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Mockler	Treat
Dean	Monek	Tufte
Dibley	Moore	Ueland
Duncan	Morin	Wake
Elhard	Murphy	Walker
Evans	Nelson of Steele	Watts
Flamer	Nelson of Traill	Wedge
Ganssle	Peake	Welford
Garden	Piper	White
Gibbens	Plath	Mr. Speaker
Giedt	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Jones of Ransom	Parkhill
Freeman	Martin of Billings	Schlenker
Griffith	Miller	Shirley
Johnson of Sargent	Oveson	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Wedge moved

That the vote by which House Bill No. 345 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Fcake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hauawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Shannafelt
Brotnov	Hemmingsen	Simpson
Burgum	Hosford	Sinclair
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Collins	Law	Stevens
Crawford	Martin of Morton	Storey
Cunningham	Mathews	Streeter
Dean	McDowall	Swendseid
Dibley	Midgarden	Syvertson
Duncan	Miller	Thoreson
Elhard	Mockler	Treat
Evans	Monek	Tufte
Flamer	Moore	Wake
Ganssle	Morin	Wedge
Garden	Nelson of Steele	Welford
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burdick	Martin of Billings	Shirley
Church	Murphy	Tofsrud
Connolly	Nelson of Traill	Ueland
Freeman	Oveson	Walker
Griifith	Parkhill	White
Jensen	Rose of Dickey	Mr. Speaker
Jones of Ransom	Schlenker	

Mr. Watts voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Treat moved

That the vote by which House Bill No. 344 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 103,

A bill for an act locating a state normal school at the city of Washburn, in the county of McLean.

Also,

Senate Bill No. 339,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 337,

A bill for an act to amend section 364 of the Revised Codes of North Dakota for 1905 relating to the board of railroad commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 18, absent and not voting 13, passed 1.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Carter
Casey
Church
Collins

Messrs.—

Graham
Grant
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Parnes
Law
Martin of Morton

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Schlenker
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Stavens
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud

Messrs.—	Messrs.—	Messrs.—
Cunningham	Midgarden	Tufte
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Elhard	Morin	Walker
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Hemmingsen	Rohs of Morton
Crawford	Martin of Billings	Steen
Dean	McDowall	Stevens
Evans	Monek	Storey
Flamer	Moore	Treat
Hanson	Restemayer	Watts

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Mathews	Simpson
Chapman	Murphy	Sinclair
Freeman	Parkhill	Shirley
Griffith	Rose of Dickey	Mr. Speaker
Jones of Ransom		

Mr. Buttz passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. White moved

That the vote by which House Bill No. 337 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 75, nays 13, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Peake
Adams	Halaas	Piper
Andrus	Hallick	Plath
Blake	Hanawalt	Pugh
Blegen	Hankinson	Purdon
Brodie	Hanson	Putnam
Burdick	Hemmingsen	Restemayer
Buttz	Hosford	Rohs of Morton
Carter	Jensen	Rose of Dickey

Messrs.—	Messrs.—	Messrs.—
Casey	Johnson of Pembina	Schlenker
Chapman	Johnson of Sargent	Shannafelt
Church	Johnson of Ward	Sorlie of Traill
Collins	Jones of Barnes	Stavens
Connolly	Law	Stevens
Crawford	Martin of Morton	Streeter
Cunningham	Martin of Billings	Swendseid
Dean	Mathews	Thoreson
Dibley	McDowall	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Watts
Ganssle	Morin	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Oveson	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Haugen	Steen
Anderson, Bernt	Midgarden	Storey
Anderson, O. P. N.	Nelson of Traill	Syvertson
Brotnov	Sorley of Grand Forks	Walker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Jones of Ransom	Sinclair
Freeman	Murphy	Shirley
Giedt	Parkhill	Tofsrud
Griffith	Simpson	Mr. Speaker

Mr. Shirley being excused.

Mr. Tufte moved to amend the title by striking out all after the figures 434 and inserting in lieu thereof the following: "of the Revised Codes of the state of North Dakota for 1905 relating to the appointment of deputies and bailiffs."

Which motion prevailed, and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Treat moved

That the vote by which House Bill No. 288 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Was read the third time.

The question being on the final passage of the bill;
The roll was called and there were ayes 84, nays none,
absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Purdon
Adams	Halaas	Putnam
Anderson, Grand F'rks	Hallick	Restemayer
Anderson, Bernt	Hanawalt	Rohs of Morton
Anderson, O. P. N.	Hankinson	Rose of Dickey
Andrus	Hanson	Schlenker
Blake	Haugen	Shannafelt
Blegen	Hemmingsen	Simpson
Brodie	Hosford	Sinclair
Brotnov	Jensen	Sorley of Grand Forks
Burdick	Johnson of Pembina	Sorlie of Traill
Buttz	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Church	Law	Storey
Collins	Martin of Morton	Swendseid
Connolly	Martin of Billings	Syverson
Crawford	Mathews	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Treat
Dibley	Morin	Tufte
Duncan	Nelson of Steele	Ueland
Elhard	Nelson of Traill	Wake
Flamer	Parkhill	Walker
Ganssle	Peake	Watts
Giedt	Piper	Wedge
Graham	Plath	Welford
Grant	Pugh	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burgum	Jones of Ransom	Murphy
Chapman	Miller	Oveson
Evans	Mockler	Shirley
Freeman	Monek	Streeter
Garden	Moore	Mr. Speaker
Gibbens		

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 324 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 52 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the senate be requested to return to the house Senate Bill No. 52.

Which motion prevailed.

House Bill No. 249,

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 11, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Purdon
Adams	Grant	Putnam
Anderson, Grand F'rks	Griffith	Restemayer
Anderson, Pernt	Halaas	Rohs of Morton
Anderson, O. P. N.	Hallick	Schlenker
Andrus	Hanawalt	Shannafelt
Blake	Hanson	Simpson
Blegen	Haugen	Sinclair
Brodie	Hemmingsen	Sorley of Grand Forks
Brotnov	Hosford	Sorlie of Traill
Burdick	Johnson of Pembina	Stavens
Burgum	Johnson of Sargent	Steen
Buttz	Johnson of Ward	Stevens
Carter	Jones of Barnes	Streeter
Church	Martin of Morton	Swendseid
Collins	McDowall	Svvertson
Connolly	Midgarden	Thoreson
Crawford	Miller	Tofsrud
Cunningham	Mockler	Tufte
Dean	Moore	Ueland
Duncan	Morin	Walker
Elhard	Nelson of Steele	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dibley	Mathews	Storey
Flamer	Monek	Treat
Jensen	Peake	Wake
Martin of Billings	Pugh	

Absent and not voting:

Messrs.—

Casey
Chapman
Evans
Freeman

Messrs.—

Hankinson
Jones of Ransom
Law
Murphy

Messrs.—

Piper
Rose of Dickey
Shirley
Mr. Speaker

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Bernt Anderson moved

That the vote by which House Bill No. 249 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

As requested by the house.

Very respectfully, .

J. W. FOLEY,
Secretary.

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Pugh
Adams	Hallick	Purdon
Anderson, Bernt	Hanawalt	Putnam
Anderson, O. P. N.	Haugen	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Rose of Dickey
Brodie	Jensen	Schlenker
Brotnov	Johnson of Pembina	Shannafelt
Burgum	Johnson of Sargent	Simpson
Buttz	Johnson of Ward	Sorley of Grand Forks
Carter	Jones of Barnes	Sorlie of Trail
Casey	Law	Stavens
Church	Martin of Morton	Steen
Collins	Martin of Billings	Storey
Connolly	Mathews	Streeter
Crawford	McDowall	Swendseid
Cunningham	Midgarden	Syverson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Flamer	Morin	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Trail	Watts
Gibbens	Oveson	Wedge
Giedt	Parkhill	Welford
Graham	Peake	White
Grant	Piper	Mr. Speaker
Griffith	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Garden	Sinclair
Andrus	Hankinson	Shirley
Burdick	Hanson	Stevens
Chapman	Jones of Ransom	Thoreson
Evans	Murphy	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Blegen moved

That the vote by which House Bill No. 296 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 60, nays 28, absent and not voting 11, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Evans	Nelson of Traill
Anderson, Grand F'rks	Flamer	Oveson
Anderson, O. P. N.	Garden	Far'hill
Andrus	Gibbens	Ieake
Blake	Giedt	Piper
Brodie	Graham	Plath
Brotnov	Griffith	Pugh
Burdick	Halaas	Purdon
Burgum	Hallick	Putnam
Buttz	Hanawalt	Rohs of Morton
Carter	Hanson	Rose of Dickey
Casey	Hosford	Schlenker
Chapman	Johnson of Sargent	Shannafelt
Church	Johnson of Ward	Stevens
Collins	Martin of Morton	Streeter
Connolly	Mathews	Swendseid
Cunningham	Midgarden	Treat
Dibley	Miller	Ueland
Duncan	Mockler	Walker
Elhard	Moore	Welford

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Pembina	Steen
Anderson, Bernt	Jones of Barnes	Storey
Blegen	McDowall	Syverson
Dean	Monek	Thoreson
Ganssle	Morin	Tofsrud
Grant	Murphy	Tufte
Hankinson	Nelson of Steele	Wake
Haugen	Restemayer	Watts
Hemmingsen	Stavens	Wedge
Jensen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	Simpson	Shirley
Freeman	Sinclair	White
Jones of Ransom	Sorley of Grand Forks	Mr. Speaker
Law	Sorlie of Traill	

Mr. Martin of Billings passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which House Bill No. 112 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 82, nays 8, absent and not voting 9, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Ganssle	Oveson
Adams	Garden	Parkhill
Anderson, Grand F'rks	Gibbens	Peake
Anderson, Bernt	Giedt	Piper
Anderson, O. P. N.	Graham	Plath
Andrus	Griffith	Pugh
Blake	Halaas	Purdon
Blegen	Hallick	Putnam
Brodie	Hanawalt	Rohs of Morton
Brotnov	Haugen	Rose of Dickey
Burdick	Hemmingsen	Schlenker
Burgum	Hosford	Sorley of Grand Forks
Buttz	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Connolly	McDowall	Syverson
Crawford	Midgarden	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Treat
Dibley	Monek	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Walker
Evans	Nelson of Steele	Watts
Flamer	Nelson of Traill	Welford
Freeman		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Jensen	Wake
Hankinson	Restemayer	Wedge
Hanson	Shannafelt	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jones of Ransom	Simpson	Shirley
Mathews	Sinclair	White
Murphy	Sorlie of Traill	Mr. Speaker

Mr. Johnson of Pembina passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 318 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House bill No. 342,

A bill for an act to amend section 367 of the Revised Codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 47, nays 36, absent and not voting 14, passed 3.

Those who voted in the affirmative were:

Messrs.—

Anderson, Grand Forks
Andrus
Blake
Blegen
Burdick
Burgum
Church
Collins
Crawford
Cunningham
Duncan
Garden
Gibbens
Graham
Grant
Griffith

Messrs.—

Hanawalt
Hankinson
Haugen
Hosford
Jensen
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
Miller
Murphy
Parkhill
Peake
Piper
Plath

Messrs.—

Pugh
Rohs of Morton
Rose of Dickey
Schlenker
Sorley of Grand Forks
Sorlie of Traill
Streeter
Swendseid
Syvertson
Thoreson
Tufte
Ueland
Walker
Welford
White

Those who voted in the negative were:

Messrs.—

Adams
Anderson, O. P. N.
Brodie
Brotnov
Buttz
Carter
Casey
Chapman
Connolly
Dean
Elhard
Evans

Messrs.—

Flamer
Freeman
Ganssle
Hanson
Hemmingsen
Johnson of Pembina
Johnson of Sargent
McDowall
Mockler
Monek
Moore
Morin

Messrs.—

Nelson of Steele
Nelson of Traill
Putnam
Shannafelt
Simpson
Stavens
Stevens
Storey
Tofsrud
Wake
Watts
Wedge

Absent and not voting:

Messrs.—

Aaker
Anderson, Bernt
Dibley
Hallick
Jones of Ransom

Messrs.—

Martin of Billings
Oveson
Purdon
Restemayer
Sinclair

Messrs.—

Shirley
Steen
Treat
Mr. Speaker

Messrs. Giedt, Halaas and Midgarden passed.

Mr. Shirley being excused.

So the bill was lost.

Mr. White gave notice that at the first session tomorrow he would move to reconsider the vote by which House Bill No. 342 was lost.

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 1, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Duncan
Elhard
Evans
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Grant

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Oveson
Parkhill
Peake
Piper

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Aaker
Dean
Dibley
Jones of Ransom

Messrs.—

Martin of Billings
Nelson of Steele
Nelson of Traill
Sinclair

Messrs.—

Shirley
Swendseid
Mr. Speaker

Mr. Flamer voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which House Bill No. 343 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 331,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the election and term of office of railroad commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 30, nays 60, absent and not voting 9, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Purdon
Anderson, Grand F'rks	Graham	Rose of Dickey
Blake	Grant	Sorley of Grand Forks
Church	Griffith	Steen
Connolly	Hanson	Streeter
Cunningham	Murphy	Syvertson
Dibley	Parkhill	Thoreson
Flamer	Peake	Ueland
Garden	Plath	Welford
Gibbens	Pugh	White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Hanawalt	Oveson
Anderson, O. P. N.	Hankinson	Piper
Andrus	Haugen	Putnam
Blegen	Hemmingsen	Restemayer
Brodie	Hosford	Rohs of Morton
Brotnov	Jensen	Schlenker
Burdick	Johnson of Pembina	Shannafelt
Burgum	Johnson of Sargent	Simpson
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Martin of Morton	Stevens
Chapman	Mathews	Storey
Collins	McDowall	Swendseid
Crawford	Midgarden	Tofsrud
Dean	Miller	Tufte
Duncan	Monek	Wake
Elhard	Moore	Walker
Evans	Morin	Watts
Halaas	Nelson of Steele	Wedge
Hallick	Nelson of Traill	Mr. Speaker

Absent and not voting:

Messrs.—

Aaker
Freeman
Ganssle

Messrs.—

Jones of Ransom
Law
Martin of Billings

Messrs.—

Mockler
Sinclair
Shirley

Mr. Treat passed.

Mr. Shirley being excused.

So the bill was lost.

The committee on warehouse grain and grain grading made the following report:

Mr. Speaker:

Your committee on warehouse grain and grain grading to whom was referred

Senate Bill No. 167,

A bill for an act to amend section 2245 relating to license. How obtained. Fee, how determined.

Have had the same under consideration and recommend that the same do pass.

R. G. PIPER,
Chairman.

Mr. Piper moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was re-referred the resolution of Mr. Sorley together with the substitute resolution offered by Mr. Stevens relating to ship subsidies, have had the same under consideration and recommend that the original motion as offered by Mr. Sorley do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted..

Mr. Stevens moved

That the house now proceed to the third reading and passage of senate bills; that the house continue in such order until 7 o'clock p. m. unless senate bills on third reading are completed before that time At the conclusion of

the third reading of senate bills, or at 7 o'clock p. m. senate bills reported from the senate and which shall not have received their first and second reading shall receive such reading, and that the house then take a recess until 10 a. m. tomorrow.

Which motion prevailed.

Senate Bill No. 59,

A bill for an act requiring an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 67, nays 15, absent and not voting 13, passed 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Putnam
Adams	Hanawalt	Restemayer
Anderson, Grand F'rks	Hankinson	Rohs of Morton
Anderson, Bernt	Hanson	Rose of Dickey
Brodie	Haugen	Schlenker
Burgum	Hosford	Sorley of Grand Forks
Buttz	Jensen	Sorlie of Traill
Carter	Johnson of Pembina	Stavens
Casey	Jones of Barnes	Storey
Chapman	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Mathews	Syverson
Cunningham	Midgarden	Thoreson
Dibley	Miller	Treat
Duncan	Moore	Tufte
Elhard	Morin	Ueland
Evans	Nelson of Steele	Walker
Flamer	Nelson of Traill	Watts
Ganssle	Peake	Wedge
Garden	Piper	Welford
Giedt	Plath	White
Grant	Purdon	Mr. Speaker
Halaas		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Hemmingsen	Parkhill
Burdick	Johnson of Sargent	Pugh
Church	McDowall	Shannafelt
Crawford	Mockler	Stevens
Dean	Oveson	Wake

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Johnson of Ward	Sinclair
Freeman	Jones of Ransom	Shirley
Gibbens	Martin of Billings	Steen
Graham	Murphy	Tofsrud
Griffith		

Messrs. Anderson, O. P. N., Andrus, Blake, Monek and Simpson passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 59 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 152,

A bill for an act to provide for the safe keeping of documents and bonds required to be deposited in the office of the county auditor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Hanson	Schlenker
Brodie	Haugen	Shannafelt
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Trail
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Stevens
Casey	Jones of Barnes	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Mathews	Syverson
Connolly	McDowall	Thoreson
Crawford	Midgarden	Treat
Cunningham	Miller	Tufte
Dean	Mockler	Ueland
Dibley	Monek	Wake
Duncan	Moore	Walker
Elhard	Morin	Watts
Evans	Nelson of Trail	Wedge
Flamer	Oveson	Welford
Ganssle	Parkhill	White
Garden	Peake	Mr. Speaker
Gibbens	Piper	

Absent and not voting:

Messrs.—

Freeman

Graham

Johnson of Ward

Jones of Ransom

Messrs.—

Martin of Billings

Murphy

Nelson of Steele

Sinclair

Messrs.—

Shirley

Steen

Tofsrud

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Church moved

That the vote by which Senate Bill No. 152 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE, NORTH DAKOTA,
BISMARCK, March 5, 1907.

To the House of Representatives:

GENTLEMEN: I have the honor to inform you that I have this day approved and filed with the secretary of state

House Bill No. 28,

A bill for an act making appropriation to cover deficiency on monument, for sewer, and reconstruction of plumbing, for remodeling, for new dormitory, and for construction of an administration building at soldiers' home.

Also,

House Bill No. 129,

A bill for an act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state, which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Also,

House Bill No. 131,

A bill for an act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for co-operating with farmers; for making experiments in the manufacture of denaturized alcohol; for publishing reports and bulletins; for analysis of fertilizers and stock foods; for complying with the provisions of the pure paint, Paris green and formaldehyde laws, and for making other experiments.

Also,

House Bill No. 179,

A bill for an act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Also,

House Bill No. 221,

A bill for an act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer for the months of February and March, 1905, and making an appropriation to pay the same.

I have the honor to be

Respectfully

JOHN BURKE,
Governor.

Senate Bill No. 179,

A bill for an act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 2, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Messrs.—

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Jones of Barnes
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill

Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Stevens
Storey
Streeter
Svendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge

Messrs.—

Garden
Gledt
Graham
Grant

Messrs.—

Peake
Piper
Pugh
Purdon

Messrs.—

Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Casey
Connolly
Freeman
Ganssle
Gibbens

Messrs.—

Haugen
Johnson of Ward
Jones of Ransom
Martin of Billings
Oveson

Messrs.—

Parkhill
Plath
Sinclair
Shirley
Steen

Messrs. Blake and Johnson of Sargent voting in the negative.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 179 was passed be reconsidered and the motion to reconsider be laid up on the table.

Which motion prevailed.

Senate Bill No. 216,

A bill for an act to amend sections 1287 and 1288 of the Revised Codes of 1905 relative to insurance of public buildings.

Was read the third time.

Mr. Ueland moved

That the house defer action on the bill until tomorrow.

Which motion prevailed and

Further consideration of the bill was deferred until tomorrow.

Senate Bill No. 175,

A bill for an act defining the status of persons soliciting life insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brodie
Brotnov
Burdick

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Schlenker
Shannafelt
Simpson

Messrs.—

Burgum
Buttz
Carter
Casey
Chapman
Collins
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Griffith

Messrs.—

Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Peake
Piper

Messrs.—

Sorley of Grand Forks
Sorlie of Traill
Stavens
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Aaker
Anderson, Grand F'rks
Andrus
Church
Connolly
Crawford
Flamer

Messrs.—

Grant
Johnson of Ward
Jones of Ransom
Martin of Billings
Oveson
Parkhill
Plath

Messrs.—

Rose of Dickey
Sinclair
Shirley
Steen
Streeter
Mr. Speaker

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Treat moved

That the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 120,

A bill for an act to repeal chapter 59 of the Session Laws of 1897 being section 5334 of the Revised Codes of 1905 in relation to the method of proof of written instruments and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 2, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Gibbens
Giedt
Graham
Grant

Messrs.—

Murphy
Nelson of Steele
Pugh
Purdon

Messrs.—

Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—

Griffith
Halaas
Hallick
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
McDowall
Midgarden.
Mockler
Monek
Moore
Morin

Messrs.—

Putnam
Restemayer
Rohs of Morton
Schlenker
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Wake
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Adams
Church
Garden
Hanawalt
Jones of Ransom
Martin of Billings
Miller

Messrs.—

Nelson of Trail
Oveson
Parkhill
Piper
Plath
Rose of Dickey

Messrs.—

Simpson
Sinclair
Shirley
Treat
Walker
Mr. Speaker

Messrs. Peake and Stavens voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 120 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 100,
A bill for an act to amend section 1313 of the revised
codes of North Dakota, relating to county fairs.
As requested by the house.

Very respectfully,
J. W. FOLEY,
Secretary.

Senate Bill No. 9,

A bill for an act to amend and re-enact section 2330 of
the Revised Codes of 1905, relating to the division of coun-
ties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays 1, absent
and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan

Messrs.—

Garden
Gibbens
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Mathews
Midgarden
Miller

Messrs.—

Nelson of Traill
Oveson
Parkhill
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Streeter
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake

Messrs.—

Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—

Mockler
Monek
Moore
Morin
Murphy

Messrs.—

Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Jones of Ransom
Martin of Billings
McDowall
Nelson of Steele

Messrs.—

Peake
Piper
Plath
Sinclair

Messrs.—

Shirley
Stevens
Swendseid
Mr. Speaker

Mr. Simpson voted in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Schlenker moved

That the vote by which Senate Bill No. 9 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 250,

A bill for an act to amend section 2771 of the Revised Codes of 1905, regulating sewers.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean

Messrs.—

Gibbens
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Midgarden
Miller

Messrs.—

Peake
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte

Messrs.—

Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garder

Messrs.—

Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Jones of Ransom
Martin of Billings
Mathews
McDowall

Messrs.—

Parkhill
Piper
Plath
Rose of Dickey

Messrs.—

Sinclair
Shirley
Mr. Speaker

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 250 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 67.

A bill for an act to amend section 5404 of the Revised Codes of 1905, relating to effect of highways or railways, on right of way therefor, over or upon the lands conveyed.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford

Messrs.—

Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Martin of Morton

Messrs.—

Piper
Pugh
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson

Messrs.—

Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Midgarden
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake

Messrs.—

Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Burdick
Jones of Ransom
Martin of Billings
Mathews

Messrs.—

McDowall
Miller
Plath
Purdon

Messrs.—

Sinclair
Shirley
Mr. Speaker

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 67 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Which the senate has amended as follows:

Strike out all of section 1 of the engrossed bill and substitute the following:

"SECTION 1. That the following proposed amendment to section 216 of the constitution of the state of North Dakota be referred to the legislative assembly to be chosen at the next general election in said state to be by said last mentioned legislative assembly submitted to the qualified electors of the

state for approval or rejection in accordance with the provisions of section 202 of the constitution of the state of North Dakota."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Was read the third time.

Mr. Stevens moved

That further action on the bill be deferred until tomorrow.

Which motion prevailed, and

Further action on the bill was deferred until tomorrow.

Mr. Stevens moved

That the speaker appoint a committee of three to investigate Senate Bill No. 255 relating to increase of judges of the supreme court.

Which motion prevailed.

The speaker appointed as such committee Messrs. Bur-
gum, Welford and Johnson of Ward.

Mr. Johnson of Ward moved

That the house concur in the senate amendments to House
Bill No. 116.

Which motion prevailed, and

The house concurred in the senate amendments.

Mr. Johnson of Ward moved

That House Bill No. 116 be placed upon its third reading
and final passage as amended by the senate.

Which motion prevailed.

House Bill No. 116,

A bill for a concurrent resolution amending the consti-
tution of the state of North Dakota, establishing and locat-
ing a state normal school in the city of Minot, county of
Ward.

Was read the third time.

The question being on the final passage of the bill as
amended by the senate.

The roll was called and there were ayes 85, nays 1, absent
and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Adams	Halaas	Purdon
Anderson, Grand Frks	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Schlenker
Burdick	Hosford	Shannafelt
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Steen
Church	Jones of Barnes	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Cunningham	Mathews	Swendseid
Dean	Midgarden	Syvertson
Dibley	Miller	Thoreson
Duncan	Mockler	Tofsrud
Elhard	Monek	Treat
Evans	Moore	Tufte
Flamer	Morin	Ueland
Freeman	Murphy	Wake
Ganssle	Nelson of Steele	Walker
Garden	Nelson of Traill	Watts
Giedt	Parkhill	Wedge
Gibbens	Peake	Welford
Graham	Piper	White
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Jones of Ransom	Sinclair
Brodie	Martin of Billings	Shirley
Chapman	McDowall	Stavens
Crawford	Oveson	Mr. Speaker
Hanson	Plath	

Mr. Brotnov voting in the negative.

Mr. Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 116 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 40,

A bill for an act to promote the safety of employees and travelers upon railways by limiting the hours of service of employees thereon, and making the violation thereof a misdemeanor, providing a punishment therefor, requiring railroad commissioners to investigate the same and notify the

attorney general thereof whose duty it shall be to prosecute the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Schlenker
Blegen	Hanson	Shannafelt
Brotnov	Haugen	Simpson
Burdick	Hemmingsen	Sorlie of Traill
Buttz	Hosford	Stavens
Carter	Jensen	Steen
Casey	Johnson of Pembina	Stevens
Church	Johnson of Sargent	Storey
Collins	Jones of Barnes	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Mathews	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Rose of Dickey
Burgum	McDowall	Sinclair
Chapman	Oveson	Sorley of Grand Forks
Johnson of Ward	Plath	Shirley
Jones of Ransom		

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Hankinson moved

That the vote by which Senate Bill No. 40 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Senate Bill No. 273,

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for 1905, relating to the construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof.

Was read the third time.

Mr. Stevens moved to amend the bill by adding at the end of section 2 the following:

Provided that the provisions of this act shall not apply to railroads where the crossing is by tressle bridge.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 86, nays 1, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Purdon
Adams	Halaas	Putnam
Anderson, Grand F'rks	Hallick	Restemayer
Anderson, Bernt	Hanawalt	Rohs of Morton
Anderson, O. P. N.	Hankinson	Rose of Dickey
Andrus	Hanson	Schlenker
Blake	Haugen	Shannafelt
Blegen	Hemmingsen	Simpson
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Johnson of Pembina	Sorlie of Traill
Burgum	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Church	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Mathews	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Morin	Ueland
Flamer	Murphy	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Watts
Garden	Oveson	Wedge
Gibbens	Parkhill	Welford
Giedt	Peake	White
Graham	Piper	Mr. Speaker
Grant	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Plath
Buttz	Martin of Billings	Sinclair
Chapman	McDowall	Shirley
Collins	Moore	Swendseid
Dibley		

Mr. Jensen voting in the negative.

Mr. Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 273 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. White moved

That the house now concur in the senate amendments to House Bill No. 153.

Which motion prevailed, and

The house concurred in the senate amendments.

Mr. Gibbens moved

That we reconsider the vote by which the house concurred in the senate amendments to House Bill No. 153.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That House Bill No. 153 be made a special order for 2:30 o'clock tomorrow.

Which motion prevailed.

Senate Bill No. 274.

A bill for an act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the state are placed on exhibition, to file with the commissioner of agriculture and labor a list of the dates claimed by said association for the purpose of conducting the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 1, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina

Messrs.—

Piper
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens

Messrs.—

Carter
Church
Collins
Connolly
Crawford
Cunningham
Dibley
Duncan
Elhard
Evans
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—

Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Casey
Chapman
Flamer
Jones of Ransom

Messrs.—

Martin of Morton
Martin of Billings
McDowall
Peake
Plath

Messrs.—

Rose of Dickey
Sinclair
Shirley
Steen
Stevens

Mr. Dean voting in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 274 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 210.

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 3, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Brotnov
Burdick

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen

Messrs.—

Pugh
Putnam
Purdon
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson

Messrs.—	Messrs.—	Messrs.—
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Collins	Jones of Barnes	Streeter
Connolly	Law	Swendseid
Crawford	Mathews	Syvertson
Cunningham	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Watts
Garden	Oveson	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Dean	Wedge

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Plath
Chapman	McDowall	Sinclair
Jones of Ransom	Murphy	Shirley
Martin of Morton	Parkhill	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 210 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 176,

A bill for an act to prohibit misrepresentations by life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 3, absent and not voting 14, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Restemayer
Adams	Grant	Rohs of Morton
Anderson, Grand F'rks	Griffith	Rose of Dickey
Anderson, Bernt	Halaas	Schlenker
Anderson, O. P. N.	Hallick	Shannafelt
Andrus	Hanawalt	Simpson
Blake	Hanson	Sorley of Grand Forks
Blegen	Hemmingsen	Sorlie of Traill
Brotnov	Hosford	Stavens
Burdick	Jensen	Steen
Burgum	Johnson of Pembina	Stevens
Buttz	Johnson of Sargent	Storey
Carter	Jones of Barnes	Streeter
Casey	Law	Swendseid
Collins	Mathews	Syvertson
Connolly	Midgarden	Thoreson
Crawford	Monck	Tofsrud
Cunningham	Moore	Treat
Dean	Morin	Tufte
Dibley	Nelson of Steele	Ueland
Duncan	Nelson of Traill	Wake
Evans	Oveson	Walker
Flamer	Peake	Watts
Freeman	Piper	Wedge
Ganssle	Pugh	Welford
Garden	Purdon	White
Gibbens	Putnam	Mr. Speaker
Giedt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Haugen	Johnson of Ward	Mockler

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Parkhill
Chapman	Martin of Morton	Plath
Church	Martin of Billings	Sinclair
Elhard	McDowall	Shirley
Hankinson	Murphy	

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 176 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 183,

A bill for an act regulating the retirement of capital stock in certain cases.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were ayes 70, nays 9, absent and not voting 15, passed 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Piper
Anderson, Grand F'rks	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brotnov	Hanson	Schlenker
Burgum	Hemmingsen	Shannafelt
Buttz	Hosford	Simpson
Carter	Jensen	Sorlie of Traill
Church	Johnson of Pembina	Stavens
Collins	Johnson of Ward	Steen
Connolly	Jones of Barnes	Streeter
Crawford	Law	Swendseid
Dean	Mathews	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Mockler	Treat
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Sargent	Stevens
Blake	Miller	Storey
Haugen	Sorley of Grand Forks	Tufte

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Jones of Ransom	Parkhill
Casey	Martin of Morton	Plath
Chapman	Martin of Billings	Rose of Dickey
Elhard	McDowall	Sinclair
Griffith	Murphy	Shirley

Messrs. Anderson, Bernt, Burdick, Cunningham, Pugh, Syvertson and Watts passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Buttz moved

That the vote by which Senate Bill No. 183 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 58,

A bill for an act to create the Ninth judicial district of the

state of North Dakota, defining the boundaries of the Second, Eighth and Ninth judicial districts of the said state, and providing for terms of court in the said districts.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 212,

A bill for an act to amend section 28 of the Revised Codes of North Dakota of 1905, relating to legislative officers and employees and their compensation.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 328,

A bill for an act to amend section 9765 of the Revised Codes of the state of North Dakota for 1905, relating to preliminary examinations.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 218,

A bill for an act locating a state normal school at the city

of Towner, in the county of McHenry.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 203,

A bill for an act to regulate the employment and occupation of railway telegraphers by railroad companies, and establishing a board of telegraph examiners, and prescribing penalties for violation thereof.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 280,

A bill for an act entitled, "An act to amend subdivision 3 of section 7225 of the Revised Codes of North Dakota, relating to appeals to the supreme court from orders made in certain cases."

Was read the first and second times and

Referred to the steering committee.

Also,

Senate Bill No. 222,

A bill for an act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the state on the standard forms recommended by the United States bureau of the census and the American Public Health Association; and making an appropriation for establishing and maintaining such a bureau and providing certain penalties.

Was read the first and second time, and

Referred to the steering committee.

Also,

Senate Bill No. 172,

A bill for an act establishing standard forms in which policies of life insurance may be issued in this state and in which policies of life insurance companies organized under the laws of this state may be issued; and regulating the conditions and provisions to be contained in policies

of life insurance companies that do not adopt such standard forms.

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 239,

A bill for an act entitled "An act to prohibit the publication of the names of the persons by whom bills are introduced in the legislative assembly, while the same is in session."

Was read the first and second times, and
Referred to the steering committee.

Also,

Senate Bill No. 103,

A bill for an act locating a state normal school at the city of Washburn, in the county of McLean.

Was read the first and second times, and
Referred to the steering committee.

On request of Mr. Nelson of Traill the privileges of the floor were extended to Mr. A. T. Danielson.

On request of Mr. Burgum the privileges of the floor were extended to Hon. T. H. Dickinson, and Messrs. Martin, Thompson, Jackson, Alin.

On request of Mr. Midgarden the privileges of the floor were extended to Mr. Houseman.

On request of Mr. Brodie the privileges of the floor were extended to Mr. Geo. Auld.

On request of Mr. Law the privileges of the floor were extended to Messrs. Harvey Prey of Valley City and Frank Polyhar.

On request of Mr. Streeter the privileges of the floor were extended to Messrs. Wm. Jones, John Hagg, A. W. Sims, C. S. Lane and Rev. S. W. Hover, all of Lisbon, N. D.

On request of Mr. Ueland the privileges of the floor were extended to Mr. C. Lasell of LaMoure county.

On request of Mr. Brodie the privileges of the floor were extended to Mr. Ray Conklin and Captain Geo. Auld of Stark county.

On request of Mr. Johnson of Ward the privileges of the floor were extended to Col. John A. Bird and Walter R. Bond of Minot.

Mr. Stevens moved

That the house take a recess until 10 o'clock tomorrow morning.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow morning.

P. D. NORTON,
Chief Clerk.

FIFTY-SEVENTH DAY—AFTER RECESS
AND
FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

The house assembled at 10 o'clock pursuant to recess taken.

Mr. Duncan moved

That Senate Bill No. 310 be re-referred to the committee on live stock.

Which motion prevailed, and

The bill was so re-referred.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 336,

A bill for an act providing that boards of trustees of the state institutions shall file with the governor in each even numbered year a statement of needs for permanent improvements.

Also,

Senate Bill No. 338,

A bill for an act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions. Requiring institutional trustees to furnish data demanded by the governor for this purpose and providing for payment of the necessary clerical and printing costs of such statements.

Also,

Senate Bill No. 325,

A bill for an act amending and re-enacting section 2592 of the Revised Codes of 1905, relating to salary of county auditors.

Also.

Senate Bill No. 227,

A concurrent resolution amending the constitution of the state of North Dakota, relating to changing the name of the state reform school.

Also,

Senate Bill No. 298,

A bill for an act requiring each county officer who receives from any county a stated salary of not less than \$2,000 per annum, to keep a record of the fees received by him as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect the fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Also,

Senate Bill No. 307,

A bill for an act prescribing additional duties of the county surveyor.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 174,

A bill for an act to prohibit the issuance of non-participating policies by certain life insurance companies.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 76, nays none, absent and not voting 16, passed 8.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Evans
Flamer
Freeman

Messrs.—

Ganssle
Garden
Gibbens
Giedt
Graham
Grant
Hallick
Hanawalt
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Law
McDowall
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Nelson of Trail
Parkhill

Messrs.—

Peake
Piper
Plath
Purdon
Rohs of Morton
Rose of Dickey
Shannafelt
Simpson
Sorley of Grand Forks
Sorlie of Trail
Stavens
Steen
Storey
Streeter
Swendseid
Syvertson
Thoreson
Treat
Tufte
Ueland
Wake
Walker
Watts
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Brodie
Elhard
Griffith
Hankinson
Hanson

Messrs.—

Martin of Morton
Mathews
Murphy
Pugh
Restemayer

Messrs.—

Sinclair
Shirley
Tofsrud
Wedge
White

Messrs. Halaas, Johnson of Ward, Jones of Ransom, Martin of Billings, Monek, Oveson, Putnam and Stevens passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Treat moved

That the vote by which Senate Bill No. 174 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 6, 1907.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2218 and 2226, in relation to oil inspection.

Which the senate has amended as follows:

Amend the title by inserting section 2215 after 2213.

Amend section 1 to read: "Section 2213 Revised Codes."

Amend section 2215 so as to read as follows: "2215. Apparatus.] The state inspector of oils shall immediately upon the appointment and qualification of the deputies named in section 2213, procure and furnish such deputies such apparatus as may be necessary to carry out the provisions of this article. He may also purchase from time to time the apparatus for making tests of illuminating oils and gasoline as hereinafter provided, and pay for books, blanks, necessary office supplies and for expenses in connection with monthly examinations of deputies' books and methods. The funds for the purchase shall be taken from the oil inspection fund."

Amend the sixth subdivision of section 6 by inserting after the word "test" in the third line of said subdivision the following: "Provided, the number of samples thus submitted to the agricultural college and the state university shall not in any month exceed the capacity of such institutions for testing the same."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 42,

A bill for an act to regulate the consolidation and reinsurance of domestic insurance companies transacting business of life, accident or health insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays none, absent and not voting 15, passed 2.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Halaas	Plath
Anderson, Bernt	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Eaugen	Restemayer
Blegen	Hemmingsen	Rohs of Morton
Brodie	Hosford	Schlenker
Brotnov	Jensen	Shannafelt
Burdick	Johnson of Pembina	Simpson
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Church	Martin of Billings	Storey
Collins	Mathews	Streeter
Connolly	McDowall	Swendseid
Cunningham	Midgarden	Syvertson
Dean	Miller	Thoreson
Duncan	Mockler	Tofsrud
Evans	Monek	Treat
Flamer	Moore	Tufte
Freeman	Morin	Ueland
Ganssle	Nelson of Steele	Wake
Garden	Nelson of Traill	Walker
Gibbens	Oveson	Watts
Giedt	Parkhill	Welford
Graham	Peake	Mr. Speaker
Grant	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Rose of Dickey
Crawford	Hanson	Sinclair
Dibley	Martin of Morton	Shirley
Elhard	Murphy	Wedge
Griffith	Pugh	White

Messrs. Wake and O. P. N. Anderson passed.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Treat moved

That the vote by which Senate Bill No. 42 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 12, nays 61, absent and not voting 19, passed 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand Fr'ks	Cunningham	Graham
Anderson, Bernt	Duncan	Rose of Dickey
Blake	Flamer	Ueland
Church	Garden	Wake

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Haugen	Piper
Andrus	Hemmingsen	Purdon
Blegen	Johnson of Pembina	Restemayer
Brodie	Johnson of Sargent	Rohs of Morton
Brotnov	Johnson of Ward	Schlenker
Burdick	Jones of Barnes	Shannafelt
Burgum	Jones of Ransom	Sorley of Grand Forks
Buttz	Law	Sorlie of Traill
Carter	Martin of Morton	Stavens
Casey	Martin of Billings	Storey
Chapman	McDowall	Streeter
Collins	Midgarden	Swendseid
Connolly	Miller	Thoreson
Dean	Mockler	Tofsrud
Evans	Monek	Treat
Ganssle	Moore	Tufte
Gibbens	Nelson of Steele	Walker
Giedt	Nelson of Traill	Watts
Grant	Oveson	Welford
Hallick	Peake	Mr. Speaker
Hanawalt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanson	Pugh
Adams	Hosford	Sinclair
Crawford	Jensen	Shirley
Elhard	Mathews	Stevens
Freeman	Murphy	Wedge
Griffith	Plath	White
Hankinson		

Mr. Shirley being excused.

Messrs. Dibley, Halaas, Morin, Parkhill, Putnam, Simpson, Steen and Syvertson passed.

So the bill was lost.

Mr. Burgum moved

That the following amendments to Senate Bill No. 205 be adopted:

On page 5, line 96, of the printed bill, strike out the letter "g" and insert in lieu thereof the letter "d."

On page 6, line 107, strike out the word "of" and insert in lieu thereof the word "by."

In section 1831, line 156, of the printed bill, after the word "to" insert the word "be."

In section 1849, line 254, of the printed bill, strike out the word "opened" and insert in lieu thereof the word "bonded."

Which motion prevailed, and

The amendments were adopted.

Senate Bill No. 205,

A bill for an act entitled an act to amend sections 1819, 1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the Revised Codes of 1905, the same being embraced in chapter 23 of the Political Code relating to drainage.

Was read the third time.

The question being on the final passage of the bill as amended by the house.

The roll was called and there were ayes 85, nays 1, absent and ot voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Shannafelt
Brotnov	Hosford	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Chapman	Law	Steen
Church	Martin of Billings	Stevens
Collins	Mathews	Storey
Connolly	McDowall	Streeter
Crawford	Midgarden	Swendseid
Cunningham	Miller	Syverson
Dean	Mockler	Thoreson
Dibley	Monek	Tofsrud
Duncan	Moore	Treat
Evans	Morin	Tufte
Flamer	Murphy	Ueland
Freeman	Nelson of Steele	Wake
Ganssle	Nelson of Traill	Walker
Garden	Oveson	Watts
Gibbens	Parkhill	Welford
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Jones of Ransom	Shirley
Elhard	Martin of Morton	Wedge
Griffith	Pugh	White
Hankinson	Rose of Dickey	Mr. Speaker
Jensen	Schlenker	

Mr. Carter voting in the negative.

Mr. Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 205 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Shannafelt
Brotnov	Hosford	Sinclair
Burdick	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Casey	Jones of Ransom	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Crawford	Mathews	Syverson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Murphy	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Connolly	Morin	Shirley
Griffith	Pugh	White
Hankinson	Schlenker	Mr. Speaker
Jensen	Simpson	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 76 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 225,

A bill for an act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Shannafelt
Burgum	Johnson of Pembina	Simpson
Buttz	Johnson of Sargent	Sinclair
Carter	Johnson of Ward	Sorley of Grand Forks
Casey	Jones of Barnes	Sorlie of Traill
Chapman	Jones of Ransom	Stavens
Church	Law	Steen
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syverson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Pugh	Treat
Griffith	Shirley	Mr. Speaker
Hankinson	Stevens	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Hallick moved

That the vote by which Senate Bill No. 225 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 215,

A bill for an act requiring the party in charge of a state institution to make an inventory of property therein.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hanson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Rose of Dickey
Brotnov	Jensen	Schlenker
Burdick	Johnson of Pembina	Shannafelt
Burgum	Johnson of Sargent	Simpson
Buttz	Johnson of Ward	Sinclair
Carter	Jones of Barnes	Sorley of Grand Forks
Casey	Jones of Ransom	Sorlie of Traill
Church	Law	Stavens
Collins	Martin of Morton	Steen
Connolly	Mathews	Stevens
Crawford	McDowall	Storey
Cunningham	Midgarden	Streeter
Dean	Miller	Swendseid
Dibley	Mockler	Syverson
Duncan	Monek	Thoreson
Elhard	Moore	Tofsrud
Evans	Morin	Tufte
Flamer	Murphy	Ueland
Freeman	Nelson of Steele	Wake
Ganssle	Nelson of Traill	Walker
Garden	Oveson	Watts
Gibbens	Parkhill	Wedge
Giedt	Peake	Welford
Graham	Piper	White
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Shirley
Brodie	Hankinson	Treat
Chapman	Martin of Billings	Mr. Speaker

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which Senate Bill No. 215 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 226,

A bill for an act for paroling inmates of the reform school.

Was read the third time,

The question being upon the final passage of the bill.

The roll was called and there were ayes 86, nays 2, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Schlenker
Brotnov	Hosford	Shannafelt
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Cunningham	Mathews	Swendseid
Dibley	McDowall	Syverson
Duncan	Midgarden	Thoreson
Eilhard	Miller	Treat
Evans	Monek	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Watts
Gibbens	Oveson	Wedge
Giedt	Peake	Welford
Graham	Piper	Mr. Speaker
Grant	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Sorley of Grand Forks
Brodie	Martin of Billings	Shirley
Burdick	Nelson of Trail	Tofsrud
Crawford	Parkhill	White

Messrs. Dean and Mockler voted in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Dibley moved

That the vote by which Senate Bill No. 226 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 194,

A bill for an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 94, nays 1, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Grant

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Plath
Pugh
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Andrus
Casey

Messrs.—

Mockler
Purdon

Messrs.—

Shirley

Mr. Miller voted in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 194 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 262,

A bill for an act relating to the licensing of transient merchants, and providing a penalty for the violation thereof.

Was read the third time,

The question being on the final passage of the bill,

The roll was called and there were ayes 74, nays 16, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Plath
Anderson, Grand F'rks	Hankinson	Pugh
Anderson, Bernt	Hanson	Putnam
Anderson, O. P. N.	Haugen	Rohs of Morton
Blegen	Hemmingsen	Schlenker
Burdick	Hosford	Shannafelt
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Casey	Johnson of Sargent	Sorley of Grand Forks
Chapman	Johnson of Ward	Sorlie of Traill
Church	Jones of Barnes	Stavens
Collins	Jones of Ransom	Stevens
Connolly	Law	Storey
Crawford	Martin of Billings	Streeter
Dibley	Mathews	Swendseid
Duncan	McDowall	Syverson
Evans	Miller	Thoreson
Flamer	Mockler	Tufte
Freeman	Monek	Wake
Ganssle	Moore	Watts
Garden	Morin	Wedge
Graham	Murphy	Welford
Grant	Nelson of Steele	White
Griffith	Parkhill	Mr. Speaker
Halaas	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Nelson of Traill
Brotnov	Giedt	Piper
Carter	Hanawalt	Steen
Cunningham	Martin of Morton	Ueland
Dean	Midgarden	Walker
Elhard		

Absent and not voting:

Messrs.—

Andrus
Blake
Brodie
Oveson

Messrs.—

Purdon
Restemayer
Rose of Dickey

Messrs.—

Shirley
Tofsrud
Treat

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Aaker moved

That the vote by which Senate Bill No. 262 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 47,

A bill for an act to amend section 241, chapter IV of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 19, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Flamer

Messrs.—

Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Griffith
Halaas
Hallick
Hosford
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Ransom
Martin of Morton
Martin of Billings
Mathews
Miller
Mockler
Moore
Nelson of Traill
Peake

Messrs.—

Pugh
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sorley of Grand Forks
Stevens
Storey
Streeter
Swendseid
Thoreson
Treat
Tufte
Ueland
Wake
Watts
Wedge
Welford
White

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanson	Nelson of Steele
Brodje	Haugen	Piper
Brotnov	Hemmingsen	Sorlie of Traill
Evans	Jensen	Stavens
Grant	Jones of Barnes	Steen
Hanawalt	Monek	Walker
Hankinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Law	Oveson	Shirley
McDowall	Farkhill	Syverson
Midgarden	Plath	Tofsrud
Morin	Purdon	Mr. Speaker
Murphy	Sinclair	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 147 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. White moved

That the vote by which House Bill No. 342 was lost be reconsidered.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the rules be suspended and that House Bill No. 342 be placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 342,

A bill for an act to amend section 367 of the Revised Codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays 1, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Putnam
Anderson, Bernt	Hallick	Restemayer

Messrs.—

Anderson, O. P. N.
 Andrus
 Blake
 Blegen
 Brodie
 Brotnov
 Burdick
 Burgum
 Buttz
 Carter
 Chapman
 Church
 Collins
 Connolly
 Crawford
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Giedt
 Graham

Messrs.—

Hanawalt
 Hankinson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Sargent
 Johnson of Ward
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Midgarden
 Mockler
 Monek
 Moore
 Morin
 Murphy
 Nelson of Steele
 Nelson of Traill
 Parkhill
 Peake
 Piper

Messrs.—

Rohs of Morton
 Rose of Dickey
 Schlenker
 Shannafelt
 Simpson
 Sinclair
 Sorley of Grand Forks
 Sorlie of Trail
 Stavens
 Steen
 Stevens
 Storey
 Streeter
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Treat
 Tufte
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—

Casey
 Hanson

Messrs.—

Miller
 Oveson

Messrs.—

Purdon
 Shirley

Mr. Evans voted in the negative.

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which House Bill No. 342 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Martin of Billings moved

That Senate Bills Nos. 199 and 202 be made a special order at 2:10 p. m. today.

Which motion prevailed.

Mr. Peake moved

That Senate Bill No. 278 also be made a special order at 2:10 p. m. today.

Which motion prevailed.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,
 Chief Clerk.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Shannafelt and Shirley who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Also,

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code of 1899, defining what shall be considered and held to be intoxicating liquors.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North

Dakota, relating to examinations and certificates for teachers in public schools.

Also,

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Also,

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Also,

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Also,

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Also,

House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Also,

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Also,

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Also,

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Also,

House Bill No. 81,

A bill for an act requiring biennial reports to be made by the superintendents of sub-experiment stations.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Also,

House Bill No. 132,

A bill for an act to regulate the manufacture of dairy products and imitations and substitutes therefor, prescribing penalties for violations; to create the office of assistant dairy commissioner; prescribing his duties and fixing his salary; and to repeal sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

Which the senate has passed unchanged.

Also,

I have the honor to return herewith.

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Which the senate has amended as follows:

In section 1, line 20, of the printed bill, the word "fifty" be stricken out.
And passed as amended.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

Which the senate has amended as follows:

That the title of said bill be amended to read as follows:

"An act providing for the revision and compilation of the school laws of the state of North Dakota."

That section 1 of said bill be amended to read as follows:

"SECTION 1. Acting under the supervision of the governor, the attorney general shall revise, compile, arrange, simplify and classify the school laws of this state which may be in force on the first day of July, 1907. The laws so compiled shall be comprehensively and accurately indexed, prefaced with a general table of contents and shall have brief and comprehensive annotations. The said attorney general and governor shall report to the next session of the legislative assembly any contradictions, inconsistencies and omissions found in the existing laws and shall draft and report to that session of the said legislative assembly such school laws as, in their judgment, would be of use and benefit to the state, for the information, assistance and action of said legislative assembly."

That section 3 of this bill be stricken out.

And passed as amended.

Also,

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Which the senate has amended as follows:

Page 2, after the word "evidence," in line 11 of the printed bill, insert the following: "He shall keep a record of all such certificates issued by him and of all his transactions under this article, and shall file with the county auditor during the month of December of each year a statement showing the date of examination and giving the names of the persons, firms or corporations whose scales, weights and measures have been by him examined, and setting out against such names an enumeration of any scales, weights or measures by him so condemned."

And passed as amended.

Also,

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Strike out the title of the bill and insert in lieu thereof the following:

"A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota."

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Personal Expenses.] Each judge of the district court shall, during his present term of office, receive the sum of five hundred dollars per annum for the purpose of defraying the personal expenses of such judge when away from home in the discharge of the duties pertaining to his office, and for other necessary expenses, such amount to be paid in the same manner as other state officers are paid; but the provisions of this section shall not apply to judges hereafter elected."

"SEC. 2. The judges of the district courts shall receive an annual salary of four thousand dollars, the payment thereof to begin at the expiration of the term of each of the present incumbents, and until the expiration of the present term of each of said judges he shall receive an annual salary of three thousand five hundred dollars.

"SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

"SEC. 4. An emergency exists in this: that there is no provision of law providing for the payment of the necessary expenses of judges of the district courts; therefore, this act shall take effect and be in force from and after its passage and approval."

Which the senate has passed as amended.

Also,

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Which the senate has amended as follows:

In section 1, in line 13, of the printed bill, add the following: "And in no case shall any bounty be paid in excess of the amount of the real estate taxes levied against persons applying for said bounty, and in no case shall any bounty be paid in excess of the amount of the taxes."

And passed as amended.

Also,

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Which the senate has amended as follows:

By striking out the word "failure" in line 8, section 6, in the printed bill, and inserting the words "if such owner or lessor shall knowingly fail" in lieu thereof; and in the same line strike out the words "shall constitute" and insert the words "he shall be guilty of" in lieu thereof.

And by striking out all of section 8.

In line 1, section 9, strike out the figure "9" and insert the figure "8."

In line 1, section 10, strike out the figures "10" and insert the figure "9."

In line 1, section 10, strike out the figures "11" and insert the figures "10."

Also, strike out the words "procure from" in line 2, section 9, and insert in lieu thereof the words "apply to."

In line 3, section 9, between the words "month" and "a" insert the word "for."

And passed as amended.

Very respectfully

J. W. FOLEY,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-fourth day have carefully examined the same and recommend that the same be corrected as follows:

Page 72, line 2 from foot of page, strike out words "Sorlie of Traill" and insert in lieu thereof "Sorley of Grand Forks."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-sixth day have carefully examined the same and recommend that the same be corrected as follows:

Page 21, line 10, change figures "234" to figures "334;" and correct title of bill.

Also for the fifty-sixth day after recess, have carefully examined the same and recommend that the same be corrected as follows:

On page 9, line 37, strike out the name "Graham" and insert name "Griffith."

Also for the fifty-seventh day, have carefully examined the same and recommend that the same be corrected as follows:

Page 18, line 31, change word "several" to "severed."

Page 21, line 21, change word "bill" to "bills."

Page 48, insert after line 24 the following: "The committee on state affairs made the following report."

Page 60, line 16, strike out word "and."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined
House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Also,

Senate Bill No. 59,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Also,

Senate Bill No. 67,

A bill for an act to amend section 5404 of the Revised Codes, relating to effect of highways or railways or right-of-way therefor, over or upon lands conveyed.

Also,

Senate Bill No. 72,

A bill for an act defining pools and trusts and providing the penalties and remedies therefor.

Also,

Senate Bill No. 77,

A bill for an act to amend section 5039 of the Revised Codes of 1905, relating to conveyances.

Also,

Senate Bill No. 78,

A bill for an act to prohibit the soliciting of orders for the future delivery without this state of intoxicating liquors to be transported into this state, to be used or sold in violation of the laws thereof, and providing a penalty for its violation.

Also,

Senate Bill No. 137,

A bill for an act amending section 9245 relating to unauthorized wearing or use of badges, name, title of officers, insignia, ritual or ceremonies of certain orders and societies.

Also,

Senate Bill No. 151,

A bill for an act entitled "An act to prohibit unfair commercial discrimination between different sections, communities, or localities, or unfair competition, and providing penalties therefor.

Also,

Senate Bill No. 63,

A bill for an act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled "Concentrated commercial feeding stuff," prescribing a penalty for the violation thereof, providing for the inspection, testing and analysis of said feeding stuffs; charging the North Dakota government agricultural experiment station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Also,

Senate Bill No. 175,

A bill for an act defining the status of persons soliciting life insurance.

Also,

Senate Bill No. 120,

A bill for an act to repeal chapter 59 of the Session Laws of 1897 being section 5334 of the Revised Codes of 1905 in relation to the method of proof of written instruments and and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Also,

Senate Bill No. 57,

A bill for an act to prevent the adulteration and misbranding of foods and beverages, the selling of adulterated and unwholesome foods and beverages, and providing for the proper labeling of all foods and beverages.

Also,

Senate Bill No. 192,

A bill for an act regulating disbursements by life insurance companies.

Also,

Senate Bill No. 206,

A bill for an act defining a watercourse.

Also,

Senate Bill No. 250,

A bill for an act to amend section 2771 of the Revised Codes of 1905, regulating sewers.

Also,

Senate Bill No. 210,

A bill for an act taxing grain in elevators, warehouses, and granaries at a fixed rate.

Also,

Senate Bill No. 183,

A bill for an act regulating the retirement of capital stock in certain cases.

And the speaker signed the same in the presence of the house.

The speaker called Mr. Pugh to the chair.

SPECIAL ORDER

Senate Bill No. 202,

A bill for an act to repeal sections 2297 to 2321, both inclusive, of the Revised Codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 84, nays 3, absent and not voting 12, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Bernt	Griffith	Putnam
Anderson, O. P. N.	Halaas	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brodie	Hanson	Schlenker
Brotnov	Haugen	Simpson
Burdick	Hosford	Sinclair
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Stavens
Carter	Jones of Barnes	Steen
Casey	Jones of Ransom	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Connolly	Mathews	Syverson
Crawford	McDowall	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Treat
Dibley	Monek	Tufte
Duncan	Moore	Ueland
Elhard	Morin	Wake
Evans	Nelson of Steele	Walker
Flamer	Nelson of Traill	Watts
Ganssle	Parkhill	Wedge
Gibbens	Peake	Welford
Giedt	Piper	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Blake	Hallick

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Freeman	Johnson of Ward	Shannafelt
Garden	Midgarden	Sorlie of Traill
Hemmingsen	Murphy	Shirley
Jensen	Purdon	White

Mr. Oveson passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Martin of Billings moved

That the vote by which Senate Bill No. 202 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 199,

A bill for an act entitled an act to provide for organizing counties from the unorganized territory of this state.

Was read the third time.

Mr. Martin moved to amend the bill

By striking out section 8 and insert in lieu thereof the following:

"Whereas there is no present law in force applicable to the organization of the unorganized territory of this state into counties, and it is necessary that such territory be organized prior to July 1, 1907, therefore an emergency exists and this act shall take effect and be in force from and after April 1, 1907."

Which motion prevailed, and

The amendment was adopted.

Mr. Peake moved to amend the bill as follows:

Amend section 3 of the printed bill by inserting after the word "therein," in line 4 of section 3 of the printed bill, the following: "At such place as the greatest number of the bona fide residents of such county shall designate by petition to the governor."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended by the house.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer

Messrs.—

Grant
Griffith
Halaas
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Shannafelt
Simpson
Sinclair
Sorley of Grand Forks
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Wake
Walker
Watts

Messrs.—

Freeman
Ganssle
Gibbens
Giedt

Messrs.—

Nelson of Traill
Oveson
Parkhill
Peake

Messrs.—

Wedge
Welford
White

Absent and not voting:

Messrs.—

Garden
Graham
Hallick

Messrs.—

Miller
Sorlie of Traill
Shirley

Messrs.—

Ueland
Mr. Speaker

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 199 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.

March 6, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

WHEREAS, The North Dakota Historical Society have been assiduous in their endeavors to gather and to keep intact historical books, data, relics and other material relative to the history of the state and territory; and

WHEREAS, It is expedient that the efforts of the society be not annulled by separating said books, data, relics and other material now owned by the North Dakota Historical Society, and all historical books, data, relics and other material hereafter to be bought or otherwise procured by said society shall be stored and remain in the possession and under the control of said society at the state museum of the North Dakota Historical Society in the state capitol building at Bismarck; therefore, be it

Resolved, That all historical books, data, relics and other historical material now owned or hereafter to be acquired and owned by the North Dakota Historical Society shall be safely kept at the historical museum in the state capitol building at Bismarck under the direction and control of the board of directors of the state historical society; and that none of said articles shall be removed therefrom except the written consent of said board of directors be first given thereto; and then said articles as above referred to shall not be taken from said museum in the state capitol for a longer period than ninety days.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

GENTLEMEN: Your joint conference committee on House Bill No. 18 have had the same under consideration and beg leave to submit the following:

The bill was introduced and passed the house as printed on January 30th and was amended by the senate, passed that body and was transmitted to the house on February 21st.

The bill as originally introduced embodied two distinct propositions, one a measure to prohibit the use of passes and like privileges and the other a measure providing for a flat two cent per mile rate for the transportation of passengers. The material amendments of the senate went only to the striking out of that portion of the bill relating to passes and similar privileges, a senate bill covering that subject matter having been reported for passage in the senate prior to the consideration of the house bill, and the bill as passed by the senate, in so far as it related to the question of passenger rates, the subject now under consideration, passed the senate substantially unchanged.

On February 28th the house "refused to concur in the senate amendments and asked for a conference committee." The following message was transmitted to the senate:

MESSAGE FROM THE HOUSE.

The following message was received from the house:

March 1, 1907.

Mr. President:

I have the honor to transmit herewith the following resolution:

Resolved, That the house refuses to concur in the amendments to House Bill No. 18; that we ask for a conference committee on this bill consisting of three members of the house, to be appointed by the speaker, and three members of the senate, to be appointed by the president of the senate; that

such conference committee shall consider the senate amendments and other features of the bill and make such recommendation for any modification of the bill as the committee may deem acceptable to the legislative assembly. Which the house has adopted.

And your early consideration thereof is respectfully requested.

In accordance with the above resolution the speaker has appointed as such committee on the part of the house, Messrs. White, Pugh and Griffith.

Very respectfully,

P. D. NORTON,
Chief Clerk.

And the president of the senate appointed as senate conference Messrs. Pierce, Regan and Koffel.

The joint conference committee met on the 4th day of March and organized by the election of Mr. Pierce as chairman and took up the consideration of the measure.

The house conferees advised that in their opinion that body now desired to adopt in lieu of the original bill such a measure as would provide for a maximum rate of two and one-half cents per mile with a provision for the sale of mileage books in denomination of one thousand miles, interchangeable or good for the use of the purchaser and the adult members of his family.

A majority of the joint conference committee accepted this view of the situation; the minority of your conference committee consisting of Messrs. Koffel and Pierce, are still of the opinion that such a measure is uncalled for and is neither just nor wise legislation; that it means the sacrifice of a very important principle in the consideration of this class of legislation in return for only an infinitesimal advantage; that it is an unjust discrimination in favor of the minority who can and do travel largely and against the great majority who travel only a few miles or at the most a few hundred miles per year within the state. The minority of your committee is further of the opinion that the enactment of such a measure at this time must retard the railroad development of the state, and must result in the depreciation of services on branch lines and the entire abolishment of excursion rates, laborer and harvest hand rates, home-seeker rates, and similar special rates now made.

The minority of your committee therefore yield only to the rule governing the deliberation of the conference committee and in order that a compromise measure may be adopted by both houses of the legislature and

Your committee therefore recommends that the bill be amended as follows, to-wit:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. Every railroad, railroad corporation and common carrier doing business in this state, their officers, agents, representatives, employes, trustees, receivers and lessees shall be limited to a compensation of not to exceed two and one-half cents per mile for distances exceeding six miles for the transportation of any person with ordinary baggage not exceeding one hundred and fifty pounds in weight; and for children five years of age and less than twelve years of age, one-half of the fare charged for adults; and for children under five years old who are traveling with an adult paying full fare no charge shall be made. Provided, that every railroad, railroad corporation and common carrier doing business in this state shall issue upon request of any person, mileage books in denomination of one thousand miles, limited to not less than one year from date of issue and redeemable within one year after the expiration of such limitation, with baggage and other facilities similar to those accompanying regular trip tickets, at a price of twenty dollars each; that such mileage books shall be good for travel by the purchaser and such adult members of his family as he may designate and whose names are then and there written thereon. But the fare shall always be made that multiple of five nearest reached by multiplying the rate by the distance. Provided, further, that the provisions of this act shall not apply to the transportation of passengers within the boundaries of any city by street railway companies. Every officer, agent, conductor, representative or any employee of any railroad, railroad corporation or common carrier who shall aid or abet any such railroad, railroad corporation or common carrier in the violation of this act by selling, charging or collecting for any ticket or transportation over any railroad any greater sum, charge or rate than that above specified shall be deemed personally guilty of a violation of this act and, upon conviction, shall be punished as hereinafter provided.

The sum of ten cents may be added to the legal fare when the same is paid on the cars, provided that a reasonable opportunity has been afforded to passengers to purchase tickets at the legal rate of fare before boarding the train.

"SEC. 2. No person and no officer, agent, representative or employee of any railroad, railroad corporation or common carrier shall be excused from testifying or producing books and documents in his possession in relation to any violation of this act on the ground that such testimony, books or documents would tend to convict the person so testifying of a crime; but no person so testifying shall be liable to prosecution or punishment for any offense concerning which he has been required to testify or to produce books or documents.

"SEC. 3. Every such railroad, railroad corporation or common carrier violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars; and any agent or officer so offending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days or more than ninety days, or by both such fine and imprisonment in the discretion of the court.

"SEC. 4. All acts and parts of acts in so far as they conflict with this act are hereby repealed."

And when so amended recommend that such proceedings be had by both houses as will pass and legally enact the bill.

Respectfully submitted,

ED. PIERCE, Chairman.
J. AUSTIN REGAN,
THEODORE KOFFEL,
G. A. WHITE,
THOS. H. PUGH,
ROBERT GRIFFITH.

Mr. White moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. White moved

That the rules be suspended and that House Bill No. 18 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 18.

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for for the violation thereof.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were ayes 96, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens

Messrs.—	Messrs.—	Messrs.—
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Syverson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Parkhill	Shannafelt	Shirley
Messrs. Shannafelt and Shirley being excused.		
So the bill passed as amended and the title was agreed to.		
Mr. White moved		

That the title be amended to read as follows:

"A bill for an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof."

Which motion prevailed, and
The amendment was adopted.

Mr. Stevens moved

That the chief clerk be instructed to transmit House Bill No. 18 to the senate at his earliest convenience.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr Speaker:

I have the honor to transmit herewith the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, There is pending in the senate of the United States a bill to provide for the fixing of a uniform standard and classification of wheat, flax, corn, oats, barley, rye and other grains; and

WHEREAS, A large portion of the grain grown in the state of North Dakota is consigned to Duluth, Minn., and Superior, Wis., where the inspectors of each state inspect grain at both of the points mentioned, being in different states; and

WHEREAS, The laws of each of said states, the oaths of office and bonds of the officers only cover and extend to the acts of such officers while in the state by virtue of whose laws they are appointed, and while acting beyond the same are bound by no restrictions of law and their bonds are not operative; and

WHEREAS, The Wisconsin inspection service is now seriously interfered with by injunctive proceedings pending in the courts, and the legislature of Minnesota has failed to correct the abuses which exist under the Minnesota grain inspection service, and has refused to modify its laws; and

WHEREAS, It is believed that if the congress of the United States shall enact the bill now pending before congress above referred to its operation will be effective in each and all of the states and will give an authoritative and unquestioned standing at home and abroad as to the character of the grain produced in the different states; now, therefore, be it

Resolved by the Senate of North Dakota, the House of Representatives Concurring, That in the opinion of the tenth legislative assembly the grain growers of North Dakota are in favor of and will be greatly benefited by the passage of the bill now pending in the senate of the United States to provide for the fixing of a uniform standard and classification of wheat, flax, grain, oats, barley, rye and other grains and that if a system of national grain inspection is established thereunder it will result in great financial advantage and benefit to the grain growers of North Dakota.

Resolved, further, That copies of this resolution be forwarded to the secretary of agriculture and to each of our senators and representatives in congress.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

The chief clerk announced that the speaker was about to sign.

Senate Bill No. 225,

A bill for an act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Also,

Senate Bill No. 274,

A bill for an act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the

state are placed on exhibition, to file with the commissioner of agriculture and labor a list of the dates claimed by said association for the purpose of conducting the same.

Also,

Senate Bill No. 215,

A bill for an act requiring the party in charge of a state institution to make an inventory of property therein.

Also,

Senate Bill No. 194,

A bill for an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Also,

Senate Bill No. 40,

A bill for an act to promote the safety of employees and travelers upon railways by limiting the hours of service of employees thereon.

Also,

Senate Bill No. 174,

A bill for an act to prohibit the issuance of non-participating policies by certain life insurance companies.

Also,

Senate Bill No. 176,

A bill for an act to prohibit misrepresentations by life insurance companies.

Also,

Senate Bill No. 179,

A bill for an act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Also,

Senate Bill No. 9,

A bill for an act to amend and re-enact section 2330 of the Revised Codes of 1905, relating to the division of counties.

And the speaker signed the same in the presence of the house.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 340,

A joint resolution.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Stevens moved

That the further consideration of Senate Bill No. 278 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 278,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 21, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Blake
Brotnov
Burgum
Casey
Chapman
Collins
Cunningham
Dibley
Flamer
Freeman
Garden
Gibbens
Graham

Messrs.—

Hanson
Haugen
Hemmingsen
Hosford
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Monek
Moore
Murphy
Nelson of Steele
Parkhill

Messrs.—

Purdon
Putnam
Rohs of Morton
Rose of Dickey
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Streeter
Swendseid
Svvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland

Messrs.—
 Halaas
 Hallick
 Hanawalt
 Hankinson

Messrs.—
 Peake
 Piper
 Plath
 Pugh

Messrs.—
 Walker
 Watts
 Welford
 Mr. Speaker

Those who voted in the negative were:

Messrs.—
 Andrus
 Brodie
 Buttz
 Carter
 Connolly
 Crawford
 Dean

Messrs.—
 Duncan
 Elhard
 Evans
 Ganssle
 Giedt
 Grant
 Jensen

Messrs.—
 Jones of Ransom
 McDowall
 Restemayer
 Schlenker
 Simpson
 Stevens
 Wake

Absent and not voting:

Messrs.—
 Blegen
 Burdick
 Church
 Griffith
 Johnson of Sargent

Messrs.—
 Mockler
 Morin
 Nelson of Traill
 Oveson

Messrs.—
 Shannafelt
 Shirley
 Wedge
 White

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 278 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the vote by which Senate Bill No. 73 was lost be reconsidered.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and that Senate Bill No. 73 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 14, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Haugen	Putnam
Blake	Hemmingsen	Rohs of Morton
Brodie	Hosford	Rose of Dickey
Brotnov	Jensen	Schlenker
Burdick	Johnson of Pembina	Simpson
Burgum	Johnson of Sargent	Sinclair
Buttz	Johnson of Ward	Sorlie of Trail
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Storey
Collins	Martin of Morton	Streeter
Cunningham	Martin of Billings	Swendseid
Dibley	Mathews	Syverson
Duncan	Midgarden	Thoreson
Elhard	Miller	Tofsrud
Evans	Mockler	Treat
Flamer	Monek	Ueland
Freeman	Moore	Wake
Garden	Murphy	Walker
Gibbens	Nelson of Steele	Wedge
Giedt	Peake	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Grant	Sorley of Grand Forks
Connolly	Hallick	Tufte
Crawford	Hanson	Watts
Dean	Morin	Welford
Ganssle	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Nelson of Traill	Shirley
Church	Oveson	Stevens
Hankinson	Restemayer	White
McDowall	Shannafelt	

Mr. Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 73 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house concur in the senate amendments to House Bill No. 153.

Mr. Gibbens moved as a substitute

That the house do not concur in the senate amendments,

and a conference committee be appointed, and that the bill be amended as follows:

Provided, this act shall not apply to short lines beginning and ending within the state.

Which substitute motion was lost.

The question being upon the original motion.

Which original motion prevailed, and

The amendments were concurred in.

Mr. Sorley of Grand Forks moved

That the rules be suspended and that House Bill No. 153 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat

Messrs.—

Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Monek
Moore
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Feake

Messrs.—

Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Chapman
Hankinson

Messrs.—

Shannafelt

Messrs.—

Shirley

Mr. Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 153 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.

March 6, 1907.

Mr. Speaker:

I have the honor to inform you that the senate declines to concur in the house amendments to Senate Bill No. 111, and asks for a committee of conference of three members of the senate and three from the house, and the president has named as such conferees on the part of the senate, Messrs. McLean, Plain and Simpson.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Freeman moved

That Senate Bill No. 308 be made a special order for 5 o'clock today.

Which motion prevailed.

Mr. Welford moved

That the majority report of House Bill No. 329 indefinitely postponing the same be adopted.

Mr. Miller moved as a substitute
That the minority report that the Bill do pass be adopted.
Which substitute motion was lost.

The question being on the original motion.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Sorley of Grand Forks moved

That the majority report of the committee on House Bill No. 329 be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker pro tem. appointed Messrs. Chapman, Peake and Ueland as a conference committee on Senate Bill No. 111.

Mr. O. P. N. Anderson moved to concur in the senate amendments in House Bill No. 183.

Which motion prevailed.

Mr. O. P. N. Anderson moved

That the rules be suspended and House Bill No. 183 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr. Speaker:

I have the honor to return herewith

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Also,

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of North Dakota for 1905, relating to corporations.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2218 and 2226, in relation to oil inspection.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 93, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Pugh
Anderson, Bernt	Griffith	Purdon
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hallick	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brodie	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Sorlie of Trail
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Syverson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Evans	Morin	Wake
Flamer	Murphy	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Plath	Shirley
Miller	Shannafelt	

Messrs. Hanson and Martin of Morton voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 183 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Haugen moved

That the house concur in the senate amendments to House Bill No. 195.

Which motion prevailed.

Mr. Haugen moved

That the rules be suspended and House Bill No. 195 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 80, nays 14, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rose of Dickey
Blegen	Haugen	Sorley of Grand Forks
Brotnov	Hemmingsen	Sorlie of Traill
Burdick	Hosford	Stavens
Burgum	Jensen	Steen
Buttz	Johnson of Pembina	Stevens
Carter	Johnson of Sargent	Storey
Casey	Johnson of Ward	Swendseid
Chapman	Jones of Barnes	Syvertson
Church	Jones of Ransom	Thoreson
Collins	Law	Tofsrud
Crawford	Midgarden	Treat

Messrs.—	Messrs.—	Messrs.—
Cunningham	Miller	Tufte
Dean	Mockler	Ueland
Dibley	Moore	Wake
Duncan	Morin	Walker
Evans	Murphy	Watts
Flamer	Nelson of Steele	Wedge
Freeman	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker
Graham	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Morton	Schlenker
Connolly	Martin of Billings	Simpson
Elhard	Mathews	Sinclair
Ganssle	Monek	Streeter
Garden	Rohs of Morton	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	McDowall	Shannafelt
Hanson	Parkhill	Shirley

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Stevens moved

That the vote by which House Bill No. 195 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Twitchell moved

That the house concur in the senate amendments to House Bill No. 275.

Which motion prevailed.

Mr. Twitchell moved

That the rules be suspended and House Bill No. 275 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hanawalt	Rose of Dickey
Brodie	Hankinson	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Tofsrud
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Morin	Walker
Flamer	Murphy	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens	Parkhill	Mr. Speaker
Giedt	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chapman	Moore	Shirley
McDowall	Shannafelt	Treat
Midgarden	Sinclair	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Twitchell moved

That the vote by which House Bill No. 275 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Buttz moved

That the house concur in the senate amendments to House Bill No. 206.

Which motion prevailed.

Mr. Buttz moved that the rules be suspended and House

Bill No. 206 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 78, nays 14, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Piper
Anderson, Grand F'rks	Graham	Plath
Anderson, O. P. N.	Griffith	Pugh
Andrus	Halaas	Purdon
Blegen	Hallick	Putnam
Brodie	Hanawalt	Rohs of Morton
Brotnov	Haugen	Rose of Dickey
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Sargent	Sinclair
Carter	Johnson of Ward	Sorley of Grand Forks
Casey	Jones of Barnes	Sorlie of Traill
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	Midgarden	Syverson
Dibley	Miller	Thoreson
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Murphy	Walker
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	White
Gibbens	Peake	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Hemmingsen	Stavens
Dean	Johnson of Pembina	Steen
Grant	Martin of Morton	Watts
Hankinson	Nelson of Steele	Welford
Hanson	Restemayer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	McDowall	Shirley
Blake	Parkhill	Tofsrud
Chapman	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.
Mr. Buttz moved

That the vote by which House Bill No. 206 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Casey moved

That the house concur in the senate amendments to House Bill No. 64.

Which motion prevailed.

Mr. Casey moved

That the rules be suspended and House Bill No. 64 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota and appropriate money therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Crawford
Dean
Dibley
Duncan

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Mockler

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte

Messrs.—	Messrs.—	Messrs.—
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
McDowall	Shannafelt	Shirley
Parkhill		

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which House Bill No. 64 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the house concur in the senate amendments to House Bill No. 225.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and House Bill No. 225 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rohs of Morton
Blegen	Hanson	Rose of Dickey
Brodie	Haugen	Schlenker

Messrs.—	Messrs.—	Messrs.—
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Syvertson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	Packhill	Shirley
Johnson of Ward	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 225 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the house concur in the senate amendments to House Bill No. 17.

Which motion prevailed.

Mr. Ueland moved

That the rules be suspended and House Bill No. 17 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Plath
Adams	Hallick	Pugh
Anderson, Grand F'rks	Hanawalt	Purdon
Anderson, Bernt	Hankinson	Putnam
Anderson, O. P. N.	Hanson	Restemayer
Andrus	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brodie	Hosford	Schlenker
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Church	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	McDowall	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Evans	Morin	Wake
Flamer	Murphy	Walker
Freeman	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Giedt	Oveson	Welford
Graham	Parkhill	White
Grant	Peake	Mr. Speaker
Griffith	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	Gibbens	Shirley
Ganssle	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 17 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Have had the same under consideration and recommend that the same be amended as follows:

In section 29, line 9, page 17 of the printed bill, after the word "business" insert the following: "Provided, however, that any storekeeper may sell the drugs known as formaldehyde and paris green in unbroken packages."

And when so amended recommend the same do pass

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved.

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Casey moved

That the rules be suspended and Senate Bill No. 28 be placed upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brodie	Hosford	Schlenker
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Jones of Barnes	Sorlie of Trail
Carter	Jones of Ransom	Stavens
Casey	Law	Steen
Chapman	Martin of Morton	Stevens
Church	Martin of Billings	Storey
Collins	Midgarden	Streeter
Connolly	Miller	Swendseid
Crawford	Mockler	Syverson
Cunningham	Monek	Tofsrud
Dean	Moore	Ueland
Dibley	Morin	Wake

Messrs.—	Messrs.—	Messrs.—
Duncan	Nelson of Steele	Walker
Elhard	Nelson of Traill	Wedge
Evans	Oveson	Welford
Flamer	Peake	White
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Hankinson	Shirley
Freeman	Johnson of Ward	Thoreson
Ganssle	Mathews	Treat
Garden	McDowall	Tufte
Gibbens	Murphy	Watts
Giedt	Parkhill	Mr. Speaker
Griffith	Shannafelt	

Mr. Monek voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Casey moved

That the vote by which Senate Bill No. 28 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

SPECIAL ORDERS.

Senate Bill No. 308,

A bill for an act to amend sections 8289, 8292, 8295, 8304, 8311, 8316, and 8318 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 3, absent and not voting 13, passed 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Plath
Anderson, Grand Forks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Simpson
Burdick	Jensen	Sinclair
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter

Messrs.—
 Connolly
 Crawford
 Cunningham
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Garden
 Giedt
 Graham

Messrs.—
 Martin of Morton
 Martin of Billings
 Midgarden
 Mockler
 Monek
 Morin
 Nelson of Steele
 Nelson of Traill
 Oveson
 Parkhill
 Peake
 Piper

Messrs.—
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Tufte
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White

Those who voted in the negative were:

Messrs.—
 Burgum

Messrs.—
 Dean

Messrs.—
 Ganssle

Absent and not voting:

Messrs.—
 Brodie
 Gibbens
 Griffith
 Mathews
 McDowall

Messrs.—
 Miller
 Murphy
 Schlenker
 Shannafelt

Messrs.—
 Shirley
 Steen
 Treat
 Mr. Speaker

Messrs. Aaker, Haugen and Moore passed.

So the bill passed and the title was agreed to.

Mr. Freeman moved

That the vote by which Senate Bill No. 308 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

House Bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Also,

House Bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Also,

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Also,

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendents of sub-experiment stations.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

And the speaker signed the same in the presence of the house.

Mr. Speaker:

Your steering committee recommends that the following bills be placed upon their third reading and final passage and in the following order.

Senate Bill No. 339,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Also,

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Also,

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Also,

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

Said bill to be amended by striking out "\$750" in line 2 of section 1 and insert in lieu thereof "\$500."

Also,

Senate bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred

House Bill No. 282,

A bill for an act to amend and re-enact section 2330, Revised Codes of 1905, relating to the formation of new counties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

BERNT ANDERSON,
Chairman.

Mr. Bernt Anderson moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on live stock made the following report:
Mr. Speaker:

Your committee on live stock to whom was referred
Senate Bill No. 310,

A bill for an act to regulate the public service of stallions
and jacks in the state of North Dakota.

Have had the same under consideration and recommend
that the same be indefinitely postponed.

JAMES DUNCAN,
Chairman.

Mr. Duncan moved

That the report be adopted,

Which motion prevailed, and

The further consideration of the bill was indefinitely
postponed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 41,

A concurrent resolution, amending the constitution of the
state of North Dakota, relating to the legislative department
and providing for direct legislation and reference of
laws.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 338,

A bill for an act requiring the governor to furnish each
legislative assembly a financial and statistical report on
state institutions. Requiring institutional trustees to furnish
data demanded by the governor for this purpose and
providing for payment of the necessary clerical and printing
costs of such statements.

Have had the same under consideration and recommend
that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 229,

A bill for an act amending sections 1278 and 1279 of the Revised Codes of North Dakota, relating to duties of store keepers and expense lists of penitentiary.

Have had the same under consideration and recommend that the same be referred to the steering committee.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.

Also,

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised Codes of 1905, relating to the appointment and qualification of the state examiner.

Have had the same under consideration and recommend that the same do pass.

O. P. N. ANDERSON,
Chairman.

Mr. O. P. N. Anderson moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 18.

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Mr. Peake moved

That the rules be suspended and that Senate Bill No. 339 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 339,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 63, nays 2, absent and not voting 35.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hanawalt.	Putnam
Andrus	Hanson	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Rose of Dickey
Brodie	Jensen	Simpson
Burdick	Johnson of Pembina	Sorley of Grand F'rks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Streeter
Cunningham	Law	Swendseid
Dean	Martin of Morton	Syverson
Dibley	Martin of Billings	Tufte
Duncan	Mathews	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Nelson of Traill	Wedge
Freeman	Parkhill	Welford
Gibbens	Peake	White
Giedt	Plath	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Sinclair
Anderson, O. P. N.	Hankinson	Schlenker
Brotnov	Haugen	Shannafelt
Burgum	Johnson of Ward	Shirley
Casey	McDowall	Stavens
Church	Midgarden	Steen
Collins	Miller	Storey
Connolly	Moore	Thoreson
Crawford	Morin	Tofsrud
Ganssle	Murphy	Treat
Garden	Oveson	Watts
Graham	Piper	

Messrs. Grant and Nelson of Steele voting in the negative.
Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Martin of Billings moved

That the vote by which Senate Bill No. 339 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Also,

House Bill No. 81,

A bill for an act requiring bi-ennial reports to be made by the superintendents of sub-experiment stations.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Also,

House Bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Also,

House Bill No. 12,

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

And find the same correctly enrolled.

THOS. H. PUGH,

Chairman.

Mr. Pugh moved

That the report be adopted,

Which motion prevailed and

The report of the committee was adopted.

On request of Mr. Brodie the privileges of the floor were extended to Messrs. Murtho and Thurston of Stark county.

On request of Mr. Jensen the privileges of the floor were extended to Mr. Aloys Wartner, Harvey, N. D.

On request of Mr. Peake the privileges of the floor were extended to Hon. E. W. Bowen of Sargent county.

On request of Mr. Schlenker the privileges of the floor were extended to Mr. G. Mix, Land Agent.

On request of Mr. Murphy the privileges of the floor were extended to Mr. Kellogg of Jamestown, N. D.

On request of Mr. Treat the privileges of the floor were extended to Messrs. John Matson, James Holes and J. O. Johnson all of Fargo.

Mr. Sorley of Grand Forks moved

That the house take a recess until 7:30 o'clock this evening.

Which motion prevailed, and

And the house took a recess until 7:30 o'clock this evening.

AFTER RECESS.

The house assembled at 7:30 p. m. o'clock pursuant to recess taken.

There being no objections

Mr. Bernt Anderson introduced

House Bill No. 346,

Which was read the first and second times and

Referred to steering committee.

Senate Bill No. 224,

A bill for an act providing for the placing of the inmates of the reform school of the state of North Dakota under the guardianship and control of the board of trustees of said reform school.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Pugh
Adams	Griffith	Purdon
Anderson, Grand F'rks	Halaas	Putnam
Anderson, Bernt	Hallick	Restemayer
Anderson, O. P. N.	Hanawalt	Rohs of Morton
Andrus	Hankinson	Rose of Dickey
Blake	Hanson	Simpson
Blegen	Haugen	Sinclair
Brotnov	Hemmingsen	Sorlie of Traill
Burdick	Hosford	Stavens
Burgum	Johnson of Pembina	Steen
Buttz	Johnson of Sargent	Stevens
Carter	Jones of Ransom	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Mathews	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Tufte
Duncan	Monek	Wake
Elhard	Moore	Ueland
Freeman	Morin	Walker
Ganssle	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Parkhill	Welford
Giedt	Piper	White
Graham	Plath	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Brodie	Johnson of Ward	Schlenker
Casey	Jones of Barnes	Shannafelt
Chapman	Martin of Billings	Sorley of Grand Forks
Crawford	McDowall	Shirley
Evans	Murphy	Treat
Flamer	Oveson	Mr. Speaker
Jensen	Peake	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which Senate Bill No. 224 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 24,

A bill for an act to amend section 1016 of the Revised Codes of 1905, relating to report by city treasurer of receipts and disbursements of moneys of independent school districts.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 83, nays none, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Piper
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Church	Jones of Barnes	Stevens
Collins	Jones of Ransom	Storey
Connolly	Law	Streeter
Crawford	Martin of Morton	Swendseid
Cunningham	Martin of Billings	Syvertson
Dean	Mathews	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Ueland
Elhard	Mockler	Wake
Flamer	Monek	Walker
Ganssle	Moore	Watts
Garden	Morin	Wedge
Gibbens	Nelson of Steele	Welford
Giedt	Nelson of Traill	White
Graham	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	McDowall	Sorley of Grand Forks
Casey	Murphy	Shirley
Chapman	Oveson	Treat
Evans	Peake	Tufte
Freeman	Schlenker	Mr. Speaker
Johnson of Ward	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 24 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 158,

A bill for an act to amend section 1172 of the Revised Codes of 1905, relating to the industrial school and school for manual training.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75, nays 9, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Nelson of Traill
Anderson, Grand F'rks	Graham	Parkhill
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Plath
Andrus	Halaas	Pugh
Blake	Hallick	Purdon
Blegen	Hanawalt	Putnam
Brotnov	Hankinson	Restemayer
Burdick	Hanson	Rohs of Morton
Burgum	Hosford	Rose of Dickey
Buttz	Jensen	Simpson
Carter	Johnson of Pembina	Sinclair
Church	Johnson of Sargent	Sorlie of Traill
Collins	Johnson of Ward	Stavens
Connolly	Jones of Parnes	Steen
Crawford	Jones of Ransom	Stevens
Cunningham	Law	Storey
Dibley	Martin of Billings	Streeter
Duncan	Martin of Morton	Swendseid
Elhard	Mathews	Syvertson
Flamer	Miller	Thoreson
Freeman	Mockler	Ueland
Ganssle	Monek	Wake
Garden	Moore	Watts
Gibbens	Morin	Wedge

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dean	Nelson of Steele	Walker
Haugen	Tofsrud	Welford
Midgarden	Tufte	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	McDowall	Shannafelt
Brodie	Murphy	Sorley of Grand Forks
Casey	Oveson	Shirley
Chapman	Peake	Treat
Evans	Schlenker	Mr. Speaker
Hemmingsen		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which Senate Bill No. 158 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 144,

A bill for an act to amend section 949 of the Revised Codes of 1905, relating to education.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 6, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Halaas	Piper
Anderson, Grand F'rks	Hallick	Plath
Anderson, Bernt	Hanawalt	Pugh
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Burdick	Hemmingsen	Rose of Dickey
Burgum	Hosford	Simpson
Carter	Jensen	Sinclair
Church	Johnson of Pembina	Sorlie of Traill
Collins	Johnson of Sargent	Stavens
Connolly	Johnson of Ward	Steen
Crawford	Jones of Barnes	Stevens
Cunningham	Jones of Ransom	Storey
Dean	Law	Streeter
Dibley	Martin of Morton	Swendseid
Duncan	Martin of Billings	Syvertson
Elhard	Mathews	Thoreson
Flamer	Miller	Tofsrud
Ganssle	Mockler	Tufte
Garden	Monek	Wake
Gibbens	Moore	Watts
Giedt	Morin	Wedge
Graham	Nelson of Steele	Welford
Grant	Nelson of Traill	White
Griffith	Parkhill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Brotnov	Ueland
Blegen	Midgarden	Walker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	McDowall	Shannafelt
Buttz	Murphy	Sorley of Grand Forks
Casey	Oveson	Shirley
Chapman	Peake	Treat
Evans	Purdon	Mr. Speaker
Freeman	Schlenker	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 144 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 269.

A bill for an act to amend and re-enact section 2894 of the Revised Codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 79, nays 1, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Nelson of Steele
Adams	Grant	Nelson of Traill
Anderson, Grand F'rks	Griffith	Parkhill
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Burdick	Haugen	Simpson
Burgum	Hemmingsen	Sinclair
Buttz	Hosford	Sorlie of Traill
Carter	Jensen	Stavens
Church	Johnson of Pembina	Steen
Collins	Johnson of Sargent	Stevens
Connolly	Johnson of Ward	Storey
Crawford	Jones of Barnes	Streeter
Cunningham	Jones of Ransom	Swendseid
Dean	Law	Syvertson
Dibley	Martin of Morton	Thoreson
Duncan	Martin of Billings	Tofsrud
Elhard	Mathews	Tufte
Flamer	Miller	Ueland
Freeman	Mockler	Wake
Ganssle	Monek	Walker
Garden	Moore	Welford
Gibbens	Morin	White
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Oveson	Sorley of Grand Forks
Casey	Peake	Shirley
Chapman	Piper	Treat
Evans	Purdon	Watts
McDowall	Rose of Dickey	Wedge
Midgarden	Schlenker	Mr. Speaker
Murphy	Shannafelt	

Mr. Brotnov voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 269 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 43, nays 43, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Garden	Parkhill
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Burgum	Halaas	Putnam
Buttz	Hallick	Restemayer
Chapman	Hankinson	Rose of Dickey
Church	Hanson	Schlenker
Collins	Hemmingsen	Steen
Connolly	Johnson of Pembina	Streeter
Dean	Johnson of Ward	Syverson
Evans	Jones of Ransom	Tofsrud
Flamer	Mathews	Tufte
Freeman	Morin	Wedge
Ganssle		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Hosford	Oveson
Andrus	Jensen	Rohs of Morton
Blake	Johnson of Sargent	Simpson
Blegen	Jones of Barnes	Sinclair
Brotnov	Law	Sorlie of Traill
Burdick	Martin of Morton	Stavens
Carter	Martin of Billings	Stevens
Crawford	Midgarden	Storey
Cunningham	Miller	Swendseid
Duncan	Mockler	Thoreson
Elhard	Monek	Ueland
Gibbens	Moore	Wake
Giedt	Nelson of Steele	Walker
Hanawalt	Nelson of Traill	White
Haugen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Peake	Treat
Casey	Purdon	Watts
Dibley	Shannafelt	Welford
McDowall	Sorley of Grand Forks	Mr. Speaker
Murphy	Shirley	

Messrs. Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Hankinson gave notice that at 3 o'clock p. m. tomorrow he would move to reconsider the vote by which Senate Bill No. 125 was lost.

Senate Bill No. 104,

A bill for an act making it unlawful for any corporation to use any of its money or property or any thing of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or any thing of value and prescribing penalties therefor.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Piper
Adams	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Church	Jones of Barnes	Steen
Collins	Jones of Ransom	Stevens
Connolly	Law	Storey
Crawford	Martin of Morton	Streeter
Cunningham	Martin of Billings	Swendseid
Dean	Mathews	Syverson
Dibley	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Tufte
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Garden	Nelson of Steele	Watts

Messrs.—
Gibbens
Giedt
Graham
Grant

Messrs.—
Nelson of Traill
Oveson
Packhill
Peake

Messrs.—
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—
Brodie
Casey
Chapman
Ganssle

Messrs.—
McDowall
Murphy
Shannafelt

Messrs.—
Sorley of Grand Forks
Shirley
Treat

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which Senate Bill No. 104 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 295,

A bill for an act to amend section 8983 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 2, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Burdick
Buttz
Carter
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Wake
Walker
Watts

Messrs.—
Gibbens
Giedt
Graham
Grant

Messrs.—
Nelson of Steele
Nelson of Traill
Oveson
Parkhill

Messrs.—
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—
Brodie
Brotnov
Casey
Chapman

Messrs.—
McDowall
Murphy
Schlenker
Shannafelt

Messrs.—
Sorley of Grand Forks
Shirley
Treat

Messrs. Burgum and Streeter voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 295 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 110,

A bill for an act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors; and to repeal section 9395 of the Revised Codes of 1905, being chapter 39 of the Session Laws of 1903.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 25, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Blake
Blegen
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan

Messrs.—

Griffith
Halaas
Hallick
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Midgarden
Miller
Moore

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Stavens
Steen
Storey
Swendseid
Syvertson
Thoreson
Tofsrud
Ueland
Wake
Walker
Watts

Messrs.—
Garden
Gibbens
Graham
Grant

Messrs.—
Morin
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—
Wedge
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—
Anderson, O. P. N.
Andrus
Brotnov
Dibley
Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—
Giedt
Hannawalt
Martin of Morton
Martin of Billings
Mathews
Mockler
Monek
Parkhill

Messrs.—
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Stevens
Streeter
Thoreson

Absent and not voting:

Messrs.—
Brodie
Casey
McDowall

Messrs.—
Murphy
Shannafelt
Sorley of Grand Forks

Messrs.—
Sorlie of Traill
Shirley
Treat

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which Senate Bill No. 110 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, and all acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the schools, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Was read the third time.

Mr. Stevens moved to amend the bill as follows:

Add at the end of the word "together," on line 41, page 3 of the printed bill, the following: "Provided, if the loan is sought to be paid off in full previous to the time specified for payment in the contract, then the party so paying said loan shall pay in addition to the interest then due on such loan the interest on the same for six months in advance of the date of such payment on the whole amount remaining due in such payment."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 86, nays none, absent and not voting 13, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Oveson
Adams	Grant	Parkhill
Anderson, Grand F'rks	Griffith	Peake
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brotnov	Haugen	Rohs of Morton
Burdick	Hemmingsen	Schlenker
Burgum	Hosford	Simpson
Buttz	Jensen	Sinclair
Carter	Johnson of Pembina	Sorlie of Traill
Chapman	Johnson of Sargent	Stavens
Church	Johnson of Ward	Stevens
Collins	Jones of Barnes	Storey
Connolly	Jones of Ransom	Streeter
Crawford	Law	Swendseid
Cunningham	Martin of Morton	Syverson
Dean	Martin of Billings	Thoreson
Dibley	Mathews	Tofsrud
Duncan	Midgarden	Tufte
Elhard	Miller	Ueland
Evans	Mockler	Wake
Flamer	Monek	Walker
Freeman	Moore	Watts
Ganssle	Morin	Wedge
Gibbens	Nelson of Steele	Welford
Giedt	Nelson of Traill	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Piper	Shirley
Casey	Rose of Dickey	Steen
Garden	Shannafelt	Treat
McDowall	Sorley of Grand Forks	White
Murphy		

Mr. Steen passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 27 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 263,

A bill for an act prohibiting servants and employees on sleeping cars and dining cars from accepting gratuities or tips, and prohibiting persons giving gratuities or tips.

Was read the third time.

Mr. Stevens moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 162,

A bill for an act to amend section 894 of the Revised Codes of 1905, relating to education.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 14, absent and not voting 15, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hanawalt	Pugh
Andrus	Hankinson	Purdon
Blegen	Hemmingsen	Putnam
Burgum	Jensen	Restemayer
Buttz	Johnson of Pembina	Rohs of Morton
Carter	Johnson of Sargent	Schlenker
Church	Johnson of Ward	Simpson
Collins	Jones of Barnes	Sinclair
Connolly	Jones of Ransom	Sorlie of Traill
Crawford	Law	Stavens
Cunningham	Martin of Morton	Steen
Dibley	Martin of Billings	Stevens
Duncan	Miller	Storey
Elhard	Mockler	Streeter
Evans	Monek	Swendseid
Flamer	Moore	Tufte
Ganssle	Morin	Ueland
Garden	Nelson of Steele	Wake
Gibbens	Oveson	Welford
Giedt	Parkhill	White
Graham	Peake	Mr. Speaker
Grant		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hallick	Nelson of Traill
Blake	Hanson	Tofsrud
Brotnov	Haugen	Walker
Burdick	Hosford	Watts
Dean	Midgarden	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Mathews	Sorley of Grand Forks
Brodie	McDowall	Shirley
Casey	Murphy	Syvertson
Chapman	Rose of Dickey	Treat
Freeman	Shannafelt	Wedge

Mr. Thoreson passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which Senate Bill No. 162 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 296,

A concurrent resolution to amend section 182 of the Constitution of the State of North Dakota, relating to a public debt and public works.

Was read the third time,

Mr. Twitchell moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 282,

A bill for an act to establish regular sessions for state board of railway commissioners and fixing the time, manner, and place, where such sessions shall be held, and otherwise defining their powers, and duties; also defining the duties of the attorney general in relation thereto.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 87, nays 2, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley

Messrs.—

Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson

Messrs.—
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Giedt
 Graham
 Grant

Messrs.—
 Mathews
 Midgarden
 Miller
 Mockler
 Monek
 Moore
 Morin
 Nelson of Steele
 Nelson of Traill
 Oveson
 Parkhill

Messrs.—
 Thoreson
 Tofsrud
 Tufte
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—
 Brodie
 Casey
 Chapman
 McDowall

Messrs.—
 Murphy
 Peake
 Shannafelt
 Sinclair

Messrs.—
 Sorley of Grand Forks
 Shirley
 Treat

Messrs. Bernt Anderson and O. P. N. Anderson voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 162 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—
 Aaker
 Adams
 Anderson, Grand F'rks
 Anderson, Bernt
 Anderson, O. P. N.
 Andrus
 Blake
 Blegen
 Brotnov
 Burdick

Messrs.—
 Graham
 Grant
 Griffith
 Halaas
 Hallick
 Hanawalt
 Hankinson
 Hanson
 Haugen
 Hosford

Messrs.—
 Peake
 Piper
 Plath
 Pugh
 Purdon
 Putnam
 Restemayer
 Rohs of Morton
 Rose of Dickey
 Schlenker

Messrs.—	Messrs.—	Messrs.—
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Chapman	Johnson of Ward	Steen
Church	Jones of Barnes	Stevens
Collins	Jones of Ransom	Storey
Connolly	Law	Streeter
Crawford	Martin of Morton	Swendseid
Cunningham	Martin of Billings	Syverson
Dean	Mathews	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Murphy	Shirley
Casey	Shannafelt	Treat
Hemmingsen	Sinclair	Tufte
McDowall	Sorley of Grand Forks	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 83 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Peake moved

That the vote by which the report of the committee on appropriation indefinitely postponing House Bill No. 240 was adopted be reconsidered.

Which motion prevailed.

Mr. Peake moved

That the rules be suspended and House Bill No. 240 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 81, nays 6, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Plath
Anderson, Grand F'rks	Grant	Pugh
Anderson, Bernt	Griffith	Purdon
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Collins	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Swendseid
Cunningham	Law	Syvertson
Dean	Martin of Morton	Thoreson
Dibley	Martin of Billings	Tofsrud
Duncan	Mathews	Tufte
Elhard	Midgarden	Ueland
Evans	Miller	Wake
Flamer	Mockler	Walker
Freeman	Moore	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Crawford	Monek
Burdick	Hanson	Morin

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Oveson	Sinclair
Casey	Parkhill	Sorley of Grand Forks
Hallick	Restemayer	Shirley
McDowall	Shannafelt	Treat
Murphy		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 240 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill 340,
A joint resolution.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate Bill No. 338,

A bill for an act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions. Requiring institutional trustees to furnish data demanded by the governor for this purpose and providing for payment of the necessary clerical and printing costs of such statements.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate Bill No. 227,

A concurrent resolution amending the constitution of the state of North Dakota, relating to changing the name of the state reform school.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate Bill No. 336,

A bill for an act providing that boards of trustees of the state institutions shall file with the governor in each even numbered year a statement of needs for permanent improvements.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate Bill No. 307,

A bill for an act prescribing additional duties of the county surveyor.

Was read the first and second times, and
Referred to the steering committee.

Also,
Senate Bill No. 298,

A bill for an act requiring each county officer who receives from any county a stated salary of not less than \$2,000 per annum, to keep a record of the fees received by him as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer

to neglect or omit to charge or collect the fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Was read the first and second times, and

Referred to the steering committee.

Also,

Senate Bill No. 325,

A bill for an act amending and re-enacting section 2592 of the Revised Codes of 1905, relating to salary of county auditors.

Was read the first and second times, and

Referred to the steering committee.

Mr. Stevens moved

That the house take a recess until 10 o'clock tomorrow morning.

Which motion prevailed, and

The house took a recess until 10 o'clock tomorrow morning.

P. D. NORTON,

Chief Clerk.

FIFTY-EIGHTH DAY—AFTER RECESS

AND

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 7, 1907.

The house assembled at 10 o'clock a. m. pursuant to recess taken.

The speaker presiding.

Mr. Rose of Dickey moved

That the house take up house bill No. 338 and then take up Senate Bills Nos. 302, 259, 55 and 325.

Which motion prevailed.

The speaker called Mr. Haugen to the chair.

Mr. Buttz offered the following resolution and moved its adoption:

Resolved, that the house take a recess on Thursday, March 7th from five until six o'clock p. m, and thereafter have a continuous session until the time for final adjournment, with such intermissions as the house may see proper to take.

Which motion prevailed.

The committee on engrossment made the following report:

Mr Speaker:

Your committee on engrossment have examined

House Bill No. 338,

A bill for an act authorizing the secretary of state on the approval of the governor to receive and receipt to the

United States surveyor general of the district of North Dakota for all the field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as the government may direct to be turned over to the state when all of the public surveys of the state of North Dakota shall have been completed.

And find the same correctly engrossed.

K. O. BROTNOV,
Acting Chairman.

Mr. Brotnov moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

House Bill No. 338,

A bill for an act authorizing the secretary of state on the approval of the governor to receive and receipt to the United States surveyor general of the district of North Dakota for all the field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as the government may direct to be turned over to the state when all of the public surveys of the state of North Dakota shall have been completed.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays none, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Chapman
Church
Collins
Connolly
Crawford
Cunningham

Messrs.—

Giedt
Graham
Grant
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Parnes
Jones of Ransom
Law
Martin of Morton

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Swendseid
Syvertson
Thoreson

Messrs.—

Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Nelson of Traill
Peake
Piper
Plath

Messrs.—

Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Adams
Brodie
Casey
Griffith
Hankinson
Martin of Billings

Messrs.—

Moore
Morin
Murphy
Nelson of Steele
Oveson

Messrs.—

Parkhill
Shannafelt
Shirley
Streeter
Wedge

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which House Bill No. 338 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 302,

A Concurrent Resolution for an amendment to the constitution, relating to the sale of school lands.

Was read the third time.

The question being upon the final passage of the bill.

The roll was called and there were ayes 87, nays none, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Church
Collins
Connolly

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter

Messrs.—

Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

McDowall
Midgarden
Miller
Mockler
Monek
Moore
Murphy
Nelson of Steele
Nelson of Traill
Oveson
Peake
Piper
Plath

Messrs.—

Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tuft
Ueland
Wake
Walker
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Casey
Chapman
Freeman
Hankinson

Messrs.—

Johnson of Pembina
Johnson of Sargent
Martin of Billings
Morin

Messrs.—

Parkhill
Shannafelt
Shirley
Wedge

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which Senate Bill No. 302 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the house concur in the committee amendments to Senate Bill No. 259.

Which motion prevailed.

Mr. Stevens moved

That Senate Bill No. 259 be put upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 259,

A bill for an act to amend and re-enact sections 4639-4658 and 4662 of chapter 21, of the Revised Codes of 1905, relating to banking corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 43, nays 32, absent and not voting 25.

Those who voted in the affirmative were:

Messrs.—

Anderson, Grand F'rks
Anderson, Bernt
Andrus

Messrs.—

Griffith
Jensen
Johnson of Pembina

Messrs.—

Plath
Pugh
Purdon

Messrs.—	Messrs.—	Messrs.—
Blake	Johnson of Sargent	Restemayer
Burdick	Jones of Barnes	Rohs of Morton
Church	Jones of Ransom	Rose of Dickey
Connolly	Law	Simpson
Crawford	Martin of Morton	Stavens
Cunningham	McDowall	Syverson
Flamer	Miller	Thoreson
Freeman	Monek	Tufte
Ganssle	Murphy	Ueland
Garden	Nelson of Steele	Wake
Giedt	Peake	White
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Putnam
Adams	Grant	Schlenker
Anderson, O. P. N.	Halaas	Sorlie of Trail
Blegen	Hanawalt	Stevens
Brotnov	Hanson	Storey
Burgum	Haugen	Swendseid
Carter	Hemmingsen	Walker
Dean	Johnson of Ward	Watts
Dibley	Mathews	Welford
Elhard	Midgarden	Mr. Speaker
Evans	Mockler	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Sinclair
Buttz	Moore	Sorley of Grand Forks
Casey	Morin	Shirley
Chapman	Nelson of Traill	Steen
Collins	Oveson	Streeter
Duncan	Parkhill	Tofsrud
Hallick	Piper	Treat
Hankinson	Shannafelt	Wedge
Hosford		

Messrs. Shannafelt and Shirley being excused.
So the bill was lost.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

The senate respectfully requests the return to the senate of House Bill No. 183, messaged to the house with amendments on March 6.

Very respectfully,
J. W. FOLEY,
Secretary.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Which the senate has amended as follows:

By adding on line 10 of the printed bill the following: "And all towns, villages and cities therein."

By striking out the word "two" on line 102 of the printed bill and inserting the word "three" in lieu thereof.

By striking out the word "three" on line 108 of the printed bill and inserting the word "four" in lieu thereof.

By striking out the word "two" in line 117 of the printed bill and inserting the word "three" in lieu thereof.

By striking out all of lines 118, 119 and 120 and inserting the following: "The twenty-eighth district shall consist of all of that part of the county of Bottineau lying east of the Mouse river and shall be entitled to one senator and two representatives."

By striking out in line 127 of the printed bill the word "three" and inserting the word "four" in lieu thereof.

By striking out in line 132 of the printed bill the word "two" and inserting the word "three" in lieu thereof.

By striking out all of lines 133, 134 and 135 and inserting the following in lieu thereof: "The thirty-fourth district shall consist of townships 155, 156, 157 and 158 north of range 75 west, and also townships 155, 156, 157, 158 and 159 north of ranges 76, 77, 78, 79 and 80, in the county of McHenry, and be entitled to one senator and three representatives.

"The thirty-fifth district shall consist of townships and fractional townships as follows: 143 north of ranges 80 and 81 west; and 144 north of ranges 80, 81, 82, 83 and 84 west; and townships 145 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84; townships 146 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84, in the county of McLean, and shall be entitled to one senator and one representative."

By striking out in line 174 of the printed bill the word "four" and inserting the word "three" in lieu thereof.

By striking out in line 180 of the printed bill the word "one" and inserting the word "two" in lieu thereof.

The 46th district shall consist of the following townships and fractional townships: Township 147 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91 and townships 148 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91, and townships 149 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91, and townships 150 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91, in the county of McLean, and shall be entitled to one senator and three representatives.

The forty-seventh district shall consist of townships 151, 152, 153 and 154 north of ranges 75, 76, 77, 78, 79 and 80, in the county of McHenry, and shall be entitled to one senator and one representative.

The forty-eighth district shall consist of all that part of Bottineau county lying west of the Mouse river, and shall be entitled to one senator and two representatives.

Strike out all of thirty-first district and insert the following: "The thirty-first district shall consist of the county of Stark and be entitled to one senator and three representatives."

Strike out thirty-ninth district and insert the following: "The thirty-ninth district shall consist of the counties of Billings, Mercer and Oliver, and be entitled to one senator and two representatives."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Twitchell gave notice that he would at 3 o'clock p. m. today move to reconsider the vote by which Senate Bill No. 259 was lost.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined
House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

And find the same correctly engrossed.

O. S. AAKER,
Chairman.

Mr. Aaker moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That the house concur in the committee amendments to Senate Bill No. 55.

Which motion prevailed.

Mr. Stevens moved

That Senate Bill No. 55 be placed upon its third reading and final passage as amended.

Senate bill No. 55,

A bill for an act to provide for the making of certain abstracts of title prima facie evidence of title and to provide for the recording of the same.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 88, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Piper
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syverson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Moore	Wake
Flamer	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Watts
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Sorley of Grand Forks
Casey	Morin	Shirley
Freeman	Murphy	Ueland
Hankinson	Shannafelt	Wedge

Mr. O. P. N. Anderson moved

That the vote by which Senate Bill No. 55 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. O. P. N. Anderson moved

That the minority report of the committee on Senate Bill No. 235 be adopted.

Which motion prevailed.

Mr. White moved

That Senate Bill No. 235 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 56, nays 29, absent and not voting 14, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Flamer	Oveson
Adams	Garden	Peake
Anderson, Bernt	Gibbens	Piper
Anderson, O. P. N.	Giedt	Plath
Andrus	Graham	Purdon
Blake	Griffith	Putnam
Blegen	Halaas	Rose of Dickey
Brotnov	Haugen	Schlenker
Burdick	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Ward	Storey
Chapman	Jones of Ransom	Streeter
Church	Law	Swendseid
Collins	Mathews	Thoreson
Dibley	Miller	Treat
Duncan	Mockler	Wake
Elhard	Monek	White
Evans	Nelson of Traill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Johnson of Sargent	Stevens
Cunningham	Martin of Morton	Syvertson
Dean	McDowall	Tofsrud
Freeman	Midgarden	Tufte
Ganssle	Murphy	Ueland
Grant	Nelson of Steele	Walker
Hallick	Pugh	Watts
Hanawalt	Restemayer	Wedge
Hanson	Rohs of Morton	Welford
Johnson of Pembina	Simpson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Martin of Billings	Sinclair
Casey	Moore	Shirley
Crawford	Morin	Sorley of Grand Forks
Hankinson	Parkhill	Mr. Speaker
Jones of Barnes	Shannafelt	

Mr. Anderson of Grand Forks passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. O. P. N. Anderson moved

That the vote by which Senate Bill No. 235 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Also,

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of 1905 of North Dakota, relating to highways on county and township lines.

Also,

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and tele-

phone companies and providing for the assessment of their property and the taxation of the same.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Which the senate has amended as follows:

In section 2, line 5, of the printed bill, after the word "made" insert the following: "Said fine to be recovered in civil action in any competent court, and it is hereby made the duty of the attorney general and the various state's attorneys of the counties wherein such violations take place to prosecute the violators of this act."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 247,

A bill for an act to amend section 7598 of the Code of 1905, relating to the law of eminent domain.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 66, nays 14, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum

Messrs.—

Griffith
Halaas
Hanawalt
Hanson
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward

Messrs.—

Piper
Plath
Purdon
Putnam
Restemayer
Rose of Dickey
Schleiker
Simpson
Sorlie of Traill
Stavens

Messrs.—	Messrs.—	Messrs.—
Chapman	Jones of Ransom	Stevens
Collins	Law	Storey
Cunningham	Martin of Morton	Streeter
Dibley	Mathews	Swendseid
Duncan	McDowall	Syverson
Elhard	Midgarden	Thoreson
Evans	Miller	Treat
Freeman	Mockler	Ueland
Garden	Monek	Wake
Gibbens	Murphy	Walker
Giedt	Nelson of Steele	Watts
Graham	Nelson of Traill	White

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Carter	Hallick	Tofsrud
Church	Haugen	Tufte
Dean	Pugh	Watts
Grant	Rohs of Morton	Welford
Ganssle	Steen	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Aaker	Hankinson	Peake
Brodie	Jones of Barnes	Shannafelt
Buttz	Martin of Billings	Sinclair
Casey	Moore	Sorley of Grand Forks
Connolly	Morin	Shirley
Crawford	Oveson	Mr. Speaker
Flamer	Parkhill	

Mr. Stevens moved

That the vote by which Senate Bill No. 247 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 66,

A bill for an act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and providing for the care, treatment, parole and release of such persons, and prescribing the duties of officials in connection therewith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 4, absent and not voting 11.

Those who voted in the affirmative were :

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Simpson
Burgum	Jensen	Sinclair
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Chapman	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Crawford	Law	Swendseid
Cunningham	Martin of Morton	Syvertson
Dean	Martin of Billings	Thoreson
Dibley	Mathews	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Tufte
Evans	Mockler	Ueland
Flamer	Monek	Wake
Freeman	Moore	Walker
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Rohs of Morton	Sorlie of Traill
Connolly		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Morin	Sorley of Grand Forks
Casey	Murphy	Shirley
Hankinson	Parkhill	Watts
McDowall	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 66 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Was read the third time.

Mr. Ueland moved

That the bill be laid over until tomorrow.

Which motion prevailed.

Senate Bill No. 114,

A bill for an act entitled, An act to amend section 10,381 disposing of the product of the state binder twine plant and prescribing duties of accounting officer."

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 89, nays 1, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Giedt
Ganssle
Garden
Gibbens

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Peake

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseld
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Wake
Walker
Watts
Wedge
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Hankinson
Johnson of Sargent
Martin of Billings

Messrs.—

Murphy
Parkhill
Shannafelt

Messrs.—

Sorley of Grand Forks
Shirley
Treat

Mr. Welford voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 114 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota, relating to the release of mortgages.

Which the senate has amended as follows:

That the following words be added to the title of the printed bill: "Relating to the release of mortgages."

And passed as amended.

Also,

House Bill No. 108,

A bill for an act amending section 10088 of the Revised Codes of 1905, relating to criminal procedure.

Also,

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays none, absent and not voting 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hanson	Rose of Dickey
Blegen	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sinclair
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Crawford	McDowall	Syvertson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Morin	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Ganssle	Oveson	Wedge
Garden	Peake	Welford
Gibbens	Piper	White
Giedt	Plath	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Sargent	Parkhill
Brodie	Martin of Billings	Shannafelt
Connolly	Mathews	Sorley of Grand Forks
Dibley	Moore	Shirley
Hankinson	Murphy	Treat

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie of Traill moved

That the vote by which Senate Bill No. 187 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Burdick moved

That the house concur in the senate amendments to House Bill No. 40.

Which motion prevailed, and

The senate amendments were concurred in.

Mr. Burdick moved

That the rules be suspended and House Bill No. 40 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota, relating to the release of mortgages.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Mathews	Swendseid
Cunningham	McDowall	Syverson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Moore	Ueland
Flamer	Murphy	Wake
Freeman	Nelson of Steele	Walker
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Martin of Billings	Sorley of Grand Forks
Brodie	Morin	Shirley
Crawford	Parkhill	Watts
Hankinson	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Burdick moved

That the vote by which House Bill No. 40 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the house concur in the senate amendments to House Bill No. 168.

Which motion prevailed, and

The senate amendments were concurred in.

Mr. Ueland moved

That the rules be suspended and House Bill No. 168 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 91, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, Bernt	Hanawalt	Putnam
Anderson, O. P. N.	Hanson	Restemayer
Andrus	Haugen	Rohs of Morton
Blake	Hemmingsen	Rose of Dickey
Blegen	Hosford	Schlenker
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Collins	Law	Storey
Connolly	Martin of Morton	Streeter
Crawford	Martin of Billings	Swendseid
Cunningham	Mathews	Syvertson
Dean	McDowall	Thoreson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Treat
Elhard	Mockler	Tufte

Messrs.—

Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham
Grant

Messrs.—

Monek
Moore
Morin
Nelson of Steele
Nelson of Trail
Oveson
Peake
Piper

Messrs.—

Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Church
Hankinson

Messrs.—

Murphy
Parkhill
Shannafelt

Messrs —

Sorley of Grand Forks
Shirley

Mr. Burgum voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Mockler moved

That the vote by which House Bill No. 168 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Also,

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, con-

necting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Which the senate has passed unchanged.

Respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 287,

A bill for an act to amend section 183 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Nelson of Steele
Nelson of Traill
Oveson
Peako
Piper

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Crawford
Martin of Billings

Messrs.—

Murphy
Parkhill
Shannafelt

Messrs.—

Sorley of Grand Forks
Shirley

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which Senate Bill No. 287 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Burdick moved

That the privileges of the floor be extended to Senator Gilbert to explain Senate Bill No. 276.

Which motion prevailed.

Senate Bill No. 276,

A bill for an act relating to liability of common carriers to their employes.

Was read the third time,

The question being on the final passage of the bill;

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker

Messrs.—

Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Morin
Nelson of Steele
Nelson of Trail
Oveson
Peake

Messrs.—

Watts
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Brodie
Martin of Billings
Murphy

Messrs.—

Parkhill
Shannafelt

Messrs.—

Sorley of Grand Forks
Shirley

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 276 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of North Dakota for 1905, relating to corporations.

Also,

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Also,

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Also,

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

And find the same correctly enrolled.

T. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

To the Senate and House of Representatives:

Your conference committee to whom was referred

Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

Beg leave to make the following report:

We recommend that the house recede from their amendments to Senate Bill No. 111.

C. W. PLAIN,
H. E. McLEAN,
L. A. SIMPSON

For the Senate.

AMASA P. PEAKE,
T. B. CHAPMAN,
L. A. UELAND,

For the House.

Mr. Burdick moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Senate Bill No. 286,

A bill for an act to authorize holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts, and obtain new contracts for the land less the rights of way required for such railroad, and providing for the payment to the state of the balance of the purchase price of the land required for such rights of way and issuance of deed therefor.

Was read the third time,

The question being on the final passage of the bill,

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Blake

Blegren

Messrs.—

Grant

Griffith

Halaas

Hallick

Hanawalt

Hankinson

Hanson

Haugen

Messrs.—

Piper

Plath

Pugh

Purdon

Putnam

Restemayer

Rohs of Morton

Rose of Dickey

Messrs.—	Messrs.—	Messrs.—
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Simpson
Burgum	Jensen	Sinclair
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Mathews	Syverson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Peake	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Parkhill	Sorley of Grand Forks
Martin of Billings	Shannafelt	Shirley

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Blegen moved

That the vote by which Senate Bill No. 286 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Also,

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Also,

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code of 1899, defining what shall be considered and held to be intoxicating liquors.

Also,

House Bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

and find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Senate Bill No. 131,

A bill for an act to amend section 1597 of the Revised Code of 1905 of the state of North Dakota, relative to duty of county auditor.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays none, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Eaugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Schlenker
Sinclair
Sorlie of Traill
Stavens

Messrs.—

Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt
Graham

Messrs.—

Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Morin
Murphy
Nelson of Steele
Nelson of Traill
Oveson

Messrs.—

Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Wedge
Welford
White
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson, Bernt
Brodie
Casey
Martin of Billings

Messrs.—

Moore
Parkhill
Rose of Dickey
Shannafelt

Messrs.—

Simpson
Sorley of Grand Forks
Shirley
Watts

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which Senate Bill No. 131 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Which the senate has amended as follows:

That all of lines 14 and 15 of the printed bill be stricken out.

And passed as amended.

Also,

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Which the senate has amended as follows:

That all of section 3 on page 3 of the printed bill be stricken out.

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Stevens moved

That the house take a recess until 1:15 p. m.

Which motion prevailed, and

The house took a recess until 1:15 p. m.

The house assembled at 1:15 p. m. pursuant to recess taken.

The speaker presiding.

Senate Bill No. 293,

A bill for an act to amend section 394 of chapter 5 of the Political Code of the Revised Codes of 1905 for North Dakota, relative to verified claims against the state.

Was read the third time,

The question being on the final passage of the bill,

The roll was called and there were ayes 94, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burgum
Buttz
Casey
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard

Messrs.—

Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Trail
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat

Messrs.—	Messrs.—	Messrs.—
Evans	Moore	Tufte
Flamer	Morin	Ueland
Freeman	Murphy	Wake
Ganssle	Nelson of Steele	Walker
Garden	Nelson of Traill	Watts
Gibbens	Oveson	Wedge
Giedt	Parkhill	Welford
Graham	Peake	White
Grant	Piper	Mr. Speaker
Griffith		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burdick	Chapman	Shannafelt
Carter	Monek	Shirley

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Piper moved

That the vote by which Senate Bill No. 293 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

There being no objections the house returned to the fifth order of business.

Mr. Speaker:

Your select committee on state institutions submits herewith its bill account mileage of members visiting the various institutions.

John E. Hannawalt	\$ 63.00
D. E. Blake	48.00
G. H. Stavens	47.00
D. R. Streeter	5.55
F. B. Chapman	5.55
T. O. Burgum	62.80
A. E. Jones	55.00
S. N. Putnam	72.40
A. P. Peake	39.00

Total \$398.50

Respectfully submitted,

AMASA P. PEAKE,
Chairman.

Mr. Peake moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 206,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Also,

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Also,

House Bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Also,

House Bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Also,

House Bill No. 132,

A bill for an act to regulate the manufacture of dairy products and imitations and substitutes therefor, prescribing penalties for violations; to create the office of assistant dairy commissioner; prescribing his duties and fixing his salary; and to repeal sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

Also,

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of 1905 of North Dakota, relating to highways on county and township lines.

Also,

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota, relating to the release of mortgages.

Also,

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment respectfully report that
House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Was delivered to the governor for his approval at the hour of 1:30 o'clock p. m. March 7, 1907.

THOS. H. PUGH,
Chairman.

The committee on state affairs made the following report:
Mr. Speaker:

Your committee on state affairs to whom was referred
Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating

the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.

Also,

Senate Bill No. 240,

A bill for an act to divide the state of North Dakota into two (2) congressional districts, and defining the boundaries of each of said congressional districts of the state of North Dakota.

Have had the same under consideration and recommend that the same be referred to the steering committee.

O. P. N. ANDERSON,

Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

Have had the same under consideration and recommend that the same be sent to the steering committee for consideration.

AMASA P. PEAKE

Chairman.

Mr. Stevens moved

That all committees be directed to turn over all bills in their hands to the steering committee.

Which motion prevailed.

Mr. Adams moved

That Senate Bill No. 189 be placed on its third reading and final passage.

Which motion prevailed.

The speaker called Mr. Haugen to the chair.

Mr. Stevens moved

That the house do now adjourn.

Which motion prevailed, and

The house adjourned.

P. D. NORTON,

Chief Clerk.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

The house assembled at 2 o'clock p. m. pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call was on motion dispensed with.

Messrs. Shannafelt and Shirley being excused.

The speaker called Mr. Haugen to the chair.

Mr Speaker:

Your steering committee report the following calendar for the day:

Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels,

Also,

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 56,

A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Also,

Senate Bill No. 338,

A bill for an act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions. Requiring institutional trustees to furnish data demanded by the governor for this purpose and providing for payment of the necessary clerical and printing costs of such statements.

Also,

Senate Bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

Also,

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Also,

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Also,

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Also,

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819, 836, 847, 879. 892. 912 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

Senate Bill No. 222,

A bill for an act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the state on the standard forms recommended by the United States bureau of the census and the American Public Health Association; and making an appropriation for establishing and maintaining such a bureau and providing certain penalties.

Also,

Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

L. A. UELAND,
Acting Chairman.

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 55, nays 38, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Elhard	Mockler
Anderson, Grand F'rks	Evans	Monek
Anderson, Bernt	Flamer	Moore
Anderson, O. P. N.	Ganssle	Murphy
Andrus	Gibbens	Oveson
Brodie	Giedt	Piper
Brotnov	Griffith	Plath
Burdick	Hallick	Rohs of Morton
Burgum	Hankinson	Schlenker
Buttz	Hanson	Simpson
Carter	Hosford	Sinclair
Casey	Jones of Barnes	Sorley of Grand Forks
Church	Jones of Ransom	Stevens
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Ueland
Cunningham	McDowall	Welford
Dibley	Miller	Mr. Speaker
Duncan		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Sargent	Stavens
Blake	Law	Steen
Blegen	Midgarden	Swendseid
Dean	Morin	Syvertson
Garden	Nelson of Steele	Tofsrud
Graham	Nelson of Traill	Treat
Grant	Parkhill	Tufte
Halaas	Peake	Wake
Hanawalt	Pugh	Walker
Haugen	Purdon	Watts
Hemmingsen	Putnam	Wedge
Jensen	Restemayer	White
Johnson of Pembina	Sorlie of Traill	

Absent and not voting:

Messrs.—

Chapman

Freeman

Johnson of Ward

Messrs.—

Rose of Dickey

Shannafelt

Messrs.—

Shirley

Thoreson

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 189 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

Was read the third time,

The question being on the final passage of the bill,

The roll was called and there were ayes 93, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Blake

Blegen

Brodie

Brotnov

Burdick

Burgum

Buttz

Carter

Casey

Church

Collins

Connolly

Crawford

Cunningham

Dean

Dibley

Duncan

Elhard

Evans

Flamer

Freeman

Ganssle

Garden

Gibbens

Giedt

Graham

Messrs.—

Grant

Griffith

Halaas

Hallick

Hanawalt

Hankinson

Hanson

Haugen

Hemmingsen

Hosford

Jensen

Johnson of Pembina

Johnson of Sargent

Johnson of Ward

Jones of Barnes

Jones of Ransom

Law

Martin of Morton

Martin of Billings

Mathews

McDowall

Midgarden

Mockler

Monek

Moore

Morin

Murphy

Nelson of Steele

Nelson of Traill

Oveson

Parkhill

Messrs.—

Peake

Plath

Pugh

Purdon

Putnam

Restemayer

Rohs of Morton

Schlenker

Simpson

Sinclair

Sorley of Grand Forks

Sorlie of Traill

Stavens

Stevens

Storey

Streeter

Swendseid

Syvertson

Thoreson

Tofsrud

Treat

Tufte

Ueland

Wake

Walker

Watts

Wedge

Welford

White

Mr. Speaker

Absent and not voting:

Messrs.—
Aaker
Chapman

Messrs.—
Rose of Dickey
Piper

Messrs.—
Shannafelt
Shirley

Messrs. Shannafelt and Shirley being excused.

Messrs. Miller and Steen voted in the negative.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 52 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house take up the report of the conference committee on Senate Bill No. 1 and adopt the same without reading.

Which motion prevailed, and

The report was adopted.

REPORT OF CONFERENCE COMMITTEE.

To the House and Senate of the Tenth Legislative Assembly.

Your conference committee heretofore appointed on Senate Bill No. 1 respectfully report as follows:

That Senate Bill No. 1 was passed by the senate and came to the house and on the 25th day of February 1907, came up on its third reading and final passage and various amendments to said senate bill were made by the house and the same were duly passed and as so amended were transmitted to the senate. That a motion was made in the senate that the amendments to said senate bill be not concurred in and a conference committee of three be appointed by the senate and a like committee be appointed by the house to confer and reconcile the differences between the two houses on said bill. That pursuant to said motion Senators Hanna, Kraabel and LaMoure were appointed as such conference committee on the part of the senate and that J. A. Sorley, Tobias D. Casey and A. O. Graham were appointed by the speaker of the house. That various sessions were held by the said conference committees at which the different points in dispute were fully discussed. It is recommended that the house recede from its action in amending said bill and that the following amendments to said Senate Bill No. 1

are hereby recommended for adoption by the house and senate, being part of the amendments heretofore adopted by the house, to-wit:

Amend section 1 of the printed bill by inserting at the end thereof the following: "It shall be liberally construed so that the real will of the electors may not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice or the conducting of, the primary or certify the results thereof."

Amend section 2 of the printed bill by striking out all of line 1, beginning with the word "on," all of lines 2, 3, 4, 5, 6, 7 and 8, and all of line 9 to and including the word "officers," and inserting in lieu thereof the following: "On the last Wednesday in June of every year in which occurs a general election there shall be held, in lieu of party caucuses and conventions, a primary election in the various voting precincts of this state, for the nomination of candidates for the following offices to be voted for at the ensuing general election, viz: Members of congress, state officers, county officers, district assessors and the following officers on the years of their regular election, viz: Judges of the supreme and district courts, members of the legislative assembly and county commissioners, and United States senator in the year previous to his election by the legislative assembly."

Amend section 3 by striking out the figure "2" in line 13 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "twenty" in line 2 of the printed bill and inserting in lieu thereof the word "thirty;" and amend said section 4 by striking out the word "twentieth" in line 3 of the printed bill and inserting in lieu thereof the word "thirtieth."

Amend section 4 by adding after the word "congress," in line 22 of the printed bill the following: "Provided, that in case no candidate of my party receives forty per cent of all the votes cast for the office of United States senator of my party, then and in that case I pledge myself to vote for the candidate of my party who receives the highest number of votes of my party at the general election succeeding such primary election."

Amend section 4 by striking out the figure "2" in line 29 of the printed bill and inserting in lieu thereof the figure "1."

Amend section 4 by striking out the word "thirty" in line 31 of the printed bill and inserting in lieu thereof the word "twenty;" and by striking out in the same line the word "fifteen" and inserting in lieu thereof the word "ten."

Amend section 4 by adding after the word "commissioners," in line 34 of the printed bill, the following: "District assessors."

Amend section 4 by adding after the word "provided," in line 39 of the printed bill, the following: "When a legislative district is composed of more than one county the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties composing such legislative districts the names of the candidates filing such petitions."

Amend section 5 by adding after the word "petition," in line 32 of the printed bill, the following: "Provided, that such affidavit and petition shall not be filed without the written consent of such person to be nominated endorsed thereon; and provided, further, that when the time has expired at which a petition may be filed, and a vacancy exists in the primary election ballot of any political party by reason of no petition having been filed for such nomination, then and in that case the same may be filled by affidavit and petition as provided in this section, on the payment of one-half of the usual fee, and such affidavit and petition must be filed with the proper officers at least twenty days before the primary election; and provided, further, that no petition shall be circulated or signed more than ninety days

previous to the time when any petition is required to be filed as herein provided for and any signatures to a petition secured prior to ninety days shall not be counted."

Amend section 7 by adding after the word "placed," in line 2 in the printed bill, the following: "Over the name or."

Amend section 9 by adding in line 6 after the word "color" the following words: "Except sample ballots, which shall be printed on tinted paper."

Amend section 9 by adding after line 22 of the printed bill the following, and strike out lines 23 and 24:

"Immediately above the names of the candidates to be voted for shall be printed the following:

"To vote for a person whose name is printed on the ballot mark a cross (X) in the square at the right of the name of the person for whom you desire to vote.

"To vote for a person whose name is not printed on the ballot, write or paste his name in the blank space provided for that purpose."

"Each ballot shall contain two columns, and each column is to have as nearly as possible the same number of names of candidates thereon, except that no groups or spaces beneath any group shall be divided, and the candidates for the various offices shall appear upon the ballot in the following order commencing at the column to the left, viz:

"Congressional—

United States senatorVote for one
Representatives in congressdistrictVote for one

"State Officers—

GovernorVote for one
Lieutenant governorVote for one
Justice of the supreme courtVote for....
Secretary of stateVote for one
State auditorVote for one
State treasurerVote for one
Superintendent of public instructionVote for one
Attorney generalVote for one
Commissioner of insuranceVote for one
Commissioner of agriculture and laborVote for one
Commissioner of railroadsVote for three

"District Judges—

For district judge.....districtVote for one

"Legislative—

State senatordistrictVote for one
Members of the house of representativesVote for....

"County—

SheriffVote for one
AuditorVote for one
TreasurerVote for one
Clerk of the district courtVote for one
Register of deedsVote for one
State's attorneyVote for one
County judgeVote for one
Superintendent of schoolsVote for one
Public administratorVote for one
County surveyorVote for one
County coronerVote for one
County commissionerdistrictVote for one
District assessordistrictVote for one
County constableVote for....
County justice of the peaceVote for....

"A square shall be placed following the name to the right of every candidate and the voter shall place a cross (X) in such square following the name of each person he desires to vote for."

Amend section 13 by adding at the end of said section 13 the following:

"The candidate receiving the highest number of votes at such primary election shall be the nominee of his party for the office of United States senator at the succeeding session of the legislative assembly which is to elect a United States senator; provided, however, that in case no candidate receives forty per cent of all the votes of his party cast for the office of United States senator, then the two candidates of each party who receives the highest number of votes cast at such primary election shall be placed upon a separate ballot to be voted for at the general election following. Such ballot to be prepared in the same manner as the general election ballot, commonly known as the Australian ballot, is prepared. The candidates of each party is to be placed upon such ballot under their proper party heading. The names of each candidate shall be placed upon such ballot in the same manner as the candidate for state officers and shall be voted for in the same manner. The votes for candidates for United States senator shall be canvassed and returned in the same manner as the votes cast for state officers. The candidate of each party receiving the highest number of votes at such general election shall be the nominee of his party for the office of United States senator, and it is hereby made the duty of the secretary of state to certify to the next session of the legislative assembly the name of the candidate of each party who receives the highest number of votes for the office of United States senator."

Amend section 14, in line 2, of the printed bill, by adding the letter "s" to the word "section;" and insert thereafter "614 and."

Amend section 1 by striking out the word "fifteenth," in the second line of the printed bill, and insert in lieu thereof the word "first."

Amend section 17, in line 4, of the printed bill, by inserting after the word "to-wit" "605."

Amend section 17, in line 7, of the printed bill, by inserting after "672" the figures "673;" and in same line by inserting after "683" the figures "684."

Amend section 19, in line 1, of the printed bill, by striking out the figure "9" and insert in lieu thereof the figure "8."

Amend section 23, in line 32, of the printed bill, by striking out the letter "a" and insert in lieu thereof "the officials;" and in same section and line add letter "s" to the word "newspaper," and insert thereafter "of the county."

Strike out in section 23 in the printed bill all after the word "newspaper" in lines 32 and 33.

Amend section 24 of the printed bill in line 3 by striking out the word "third" and inserting the word "first."

Amend section 25, in line 4, of the printed bill, by striking out the word "of" and inserting in lieu thereof the word "after."

Amend section 27 by striking out all after the word "shall," in line 10 of the printed bill. Strike out all of line 11 and all of line 12 up to and including the word "also."

Amend section 28 by striking out in line 6 after the word "following" the words "excepting that of United States senator."

Amend section 30 of the printed bill by striking out all of such section after the number "30" and insert in lieu thereof "whenever it shall be made to appear by affidavit to the supreme court or to the district court of the proper county: that an error or omission has occurred or is about to occur in the placing of any name on an official primary election ballot; that any error has been or is about to be committed in printing such ballot, or that any wrongful act has been or is about to be done by any judge or clerk of a primary election, county auditor, canvassing board, member thereof, or other person charged with any duty concerning the primary election; or that any neglect of duty has occurred or is about to occur, such judge

shall order the officer or person charged with such error, wrong or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty, or show cause at a time and place to be fixed by the court why he should not do so. Failure to obey the order of such judge shall be contempt of court."

Amend section 31 of the printed bill by striking out all of said section after the figures "31" in line 1 of the printed bill, and insert in lieu thereof "Any candidate at a primary election desiring to contest the nomination of another candidate or candidates for the same office, may proceed by affidavit within ten days after the completion of the canvass. In case the contestant shall set forth in his affidavit, upon information and belief, that the ballots in any precinct have not been correctly counted, and that he has been prejudiced thereby, the judge shall make an order requiring the custodian of such ballots to appear before him at such time and place, and abide the further order of the court. At the time and place stated, the ballot boxes shall be opened and the ballots recounted in the presence of the court. If it should be found that a mistake has been made in counting such ballots, then the contestant shall be permitted upon application, to amend his affidavit of contest by including such additional facts therein.

"All testimony and depositions taken in contests brought under the provisions of this article shall be taken in the same manner as in civil actions and depositions may be taken in more than one place at the same time on leave of the court, and all matters relating to such contests shall be heard and tried as nearly as may be as civil actions are tried except as otherwise provided herein. The court shall make its findings of fact and conclusions of law. Appeals from final judgment and decisions of such contests may be taken without making a motion for a new trial in the district court in the manner provided for in the code of civil procedure, except that the undertaking on appeal shall be in a sum to be fixed by the judge, not less than five hundred dollars, and shall be approved by the judge and by the clerk of the district court of the proper county or subdivision under the directions of the judge.

"Appeals to the supreme court under the provisions of this article must be taken within ten days after notice of entry of final judgment and the party appealing must immediately procure the transmission of the record on such appeal to the clerk of the supreme court and such appeal may be brought on for hearing before the supreme court at any time such court shall be in session upon five days notice from either party; and the same shall be heard and determined in a summary manner except as otherwise provided in this article. The provisions of the code of civil procedure are applicable to and constitute the rules of practice in the proceedings mentioned in this article and the provisions of the civil code of procedure relative to appeals in civil actions, except in so far as they are inconsistent herewith apply to the proceedings mentioned in this article."

Amend section 32 of the printed bill by striking out all of said section after the number "32" in line 1 and in lieu thereof insert: "The provisions of the statutes now in force in relation to the holding of elections, the solicitation of votes, the manner of conducting elections, of counting the ballots and making return thereof, and all other kindred subjects shall apply to all primaries in so far as they are consistent with this act; the intent of this act being to place the primary election under the regulation and protection of the laws now in force as to election."

Amend section 33 of the printed bill by striking out all of said section after the number "33" in the printed bill and insert in lieu thereof "in case of a tie vote the same shall be determined by the canvassing board or boards concerned, at a time and place fixed by them in such manner as they may designate in the presence of the candidate upon at least five days notice to such candidate.

Amend section 34 of the printed bill by striking out all of said section after the number 34 in first line thereof and insert in lieu thereof the fol-

lowing: "Nothing herein contained shall be construed as repealing or being in conflict with section 501 of the Revised Codes 1905."

Amend section 35 of the printed bill by striking out all after the number "35" in first line thereof and insert in lieu thereof "all fees paid to the secretary of state by candidates for the legislative assembly shall be paid by the secretary of state forthwith to the various county auditors in the state where such candidates reside and in case any legislative district is composed of more than one county such fee shall be paid to such counties in equal proportions, which fees are to be turned into the general fund of said county auditor."

Strike out all of section 36.

Amend section 37 of the printed bill by striking out all of said section after the number "37" in the first line thereof, and insert in lieu thereof the following: "In case any of the provisions of this act should be declared unconstitutional that shall not affect the validity of any of the other provisions of this act."

Also, amend printed bill by renumbering the sections so they shall follow in consecutive order.

Your conference committee respectfully recommend the adoption of the foregoing amendments and when so adopted that the same do pass.

L. B. HANNA,
J. LAMOURE,
A. T. KRAABEL,
J. A. SORLEY,
A. O. GRAHAM.
TOBIAS D. CASEY,

Mr. Sorley of Grand Forks moved
That the house request the return of Senate Bill No. 1.
Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

As requested by the house.

Very respectfully,
J. W. FOLEY,
Secretary.

Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 21, absent and not voting 13, present and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Morin
Anderson, Grand F'rks	Giedt	Nelson of Traill
Anderson, Bernt	Graham	Peake
Andrus	Griffith	Piper
Brodie	Halaas	Plath
Burdick	Hanawalt	Pugh
Burgum	Hankinson	Purdon
Buttz	Haugen	Putnam
Carter	Hemmingsen	Restemayer
Casey	Hosford	Sinclair
Chapman	Jensen	Sorley of Grand Forks
Collins	Johnson of Pembina	Sorlie of Traill
Connolly	Johnson of Sargent	Stevens
Crawford	Johnson of Ward	Storey
Dean	Jones of Ransom	Streeter
Duncan	Law	Swendseid
Elhard	Martin of Billings	Syvertson
Evans	McDowall	Treat
Freeman	Miller	Ueland
Ganssle	Mockler	Wake
Gardner	Monek	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Martin of Morton	Tofsrud
Blake	Nelson of Steele	Tufte
Church	Rohs of Morton	Walker
Flamer	Simpson	Watts
Hanson	Stavens	Wedge
Hallick	Steen	Welford
Jones of Barnes	Thoreson	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Rose of Dickey
Blegen	Mathews	Schlenker
Brotnov	Oveson	Shannafelt
Cunningham	Parkhill	Shirley
Dibley		

Messrs. Shannafelt and Shirley being excused.

Present and not voting Messrs. Midgarden, Moore, Murphy and Stavens.

So the bill passed and the title was agreed to.

Mr. Adams moved

That the vote by which Senate Bill No. 16 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Sorley of Grand Forks moved

That Senate Bill No. 1 be placed upon its third reading and final passage.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 16 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hankinson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Schlenker
Brotnov	Hosford	Simpson
Burdick	Jensen	Sinclair
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Church	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	McDowall	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Murphy	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Nelson of Traill	White
Garden	Oveson	Mr. Speaker
Gibbens	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanawalt	Rose of Dickey	Tufte
Hanson	Shannafelt	Welford
Johnson of Ward	Shirley	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 1 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Piper
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Simpson
Burgum	Jensen	Sorley of Grand Forks
Buttz	Johnson of Pembina	Sorlie of Traill
Carter	Johnson of Sargent	Stavens
Casey	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Mathews	Syvertson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Nelson of Traill	Welford
Gibbens	Oveson	White
Giedt	Parkhill	Mr. Speaker
Graham	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Shannafelt	Shirley
Martin of Billings	Sinclair	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 333 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 56,

A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Was read the third time,

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 7, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Peake
Adams	Griffith	Piper
Anderson, Grand F'rks	Hallick	Plath
Anderson, Bernt	Hanawalt	Pugh
Andrus	Hankinson	Purdon
Blake	Hanson	Putnam
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Martin of Billings	Thoreson
Crawford	Mathews	Tofsrud
Cunningham	McDowall	Treat
Dibley	Midgarden	Tufte
Duncan	Miller	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Ganssle	Murphy	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt	Parkhill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Nelson of Steele	Swendseid
Dean	Steen	Syverson
Grant		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Halaas	Shannafelt	Shirley
Restemayer		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 56 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Hankinson moved

That the vote by which Senate Bill No. 25 was lost be reconsidered.

Which motion prevailed.

Senate Bill No. 338,

A bill for an act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions. Requiring institutional trustees to furnish data demanded by the governor for this purpose and providing for payment of the necessary clerical and printing costs of such statements.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were ayes 96, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Piper
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Schlenker
Brotnov	Hosford	Simpson
Burdick	Jensen	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syverson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Murphy	Walker
Ganssle	Nelson of Steele	Watts
Garden	Nelson of Traill	Wedge
Gibbens	Oveson	Welford
Giedt	Parkhill	White
Graham	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Shannafelt	Shirley
Johnson of Pembina		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 338 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Hankinson moved

That Senate Bill No. 125 be placed upon its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 6, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 234,

A bill for an act to amend section 9358 of the Revised Codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said Codes.

Also,

House Bill No. 306,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Also,

House Bill No. 110,

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Also,

House Bill No. 259,

A bill for an act to provide for the collection of delinquent personal taxes.

Also,

House bill No. 22,

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Also,

House bill No. 37,

A bill for an act to amend section 1348 of the revised codes of North Dakota, of 1905, relating to public roads.

Also,

House Bill No. 271,

A bill for an act to amend section 6266 of chapter 82 of the Revised Codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

Which the senate has indefinitely postponed.

Very respectfully

J. W. FOLEY,
Secretary.

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Was read the third time,

Mr. Peake moved to amend the bill as follows:

In line 15 of the printed bill after the word "how" insert the following words: "not earlier than 6 a. m." And in line 16, after the word "hour" insert the following words: "not later than 8 p. m."

Mr. Nelson of Traill moved as a substitute

That further consideration of the bill be indefinitely postponed.

Which substitute motion was lost.

The question being upon the original motion.

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 65, nays 25, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—

Adams
Andrus
Blake
Blegen
Brodie
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly

Messrs.—

Griffith
Halaas
Hanawalt
Hankinson
Hanson
Hemmingsen
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
Miller

Messrs.—

Plath
Pugh
Purdon
Putnam
Rose of Dickey
Simpson
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson

Messrs.—
Dean
Dibley
Duncan
Evans
Ganssle
Garden
Gibbens
Graham
Grant

Messrs.—
Mockler
Monck
Moore
Morin
Murphy
Nelson of Steele
Parkhill
Peake
Piper

Messrs.—
Thoreson
Tofsrud
Treat
Wake
Watts
Wedge
Welford
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, Bernt
Anderson, O. P. N.
Brotnov
Burdick
Crawford
Cunningham
Elhard
Flamer
Freeman

Messrs.—

Giedt
Hallick
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Martin of Morton
McDowall

Messrs.—

Nelson of Traill
Oveson
Restemayer
Rohs of Morton
Schlenker
Tufte
Walker
White

Absent and not voting:

Messrs.—

Aaker
Anderson, Grand F'rks
Haugen
Midgarden

Messrs.—

Shannafelt
Sinclair
Sorley of Grand Forks

Messrs.—

Sorlie of Traill
Shirley
Ueland

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 125 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 18.

A bill for an act providing for a maximum rate of fare to be charged and collected by railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Which the senate has passed as amended by the conference committee, and further amended as to title by the house, after formally adopting the report of the conference committee and concurring in the further house amendment as to title.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 49, nays 42, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Burgum
Casey
Church
Connolly
Cunningham
Dibley
Elhard
Flamer
Freeman
Ganssle
Garden
Graham
Grant

Messrs.—

Hallick
Hankinson
Hanson
Haugen
Jensen
Johnson of Pembina
Johnson of Sargent
Martin of Morton
Morin
Murphy
Nelson of Steele
Parkhill
Pugh
Purdon
Restemayer
Rohs of Morton

Messrs.—

Rose of Dickey
Simpson
Sorley of Grand Forks
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Tofsrud
Treat
Tufte
Ueland
Wake
Welford
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Aaker
Adams
Blake
Brodie
Burdick
Buttz
Carter
Chapman
Collins
Crawford
Dean
Duncan
Evans
Gibbens

Messrs.—

Giedt
Griffith
Halaas
Hanawalt
Hemmingsen
Hosford
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Mathews
McDowall
Midgarden
Miller

Messrs.—

Monek
Moore
Nelson of Traill
Oveson
Peake
Piper
Plath
Putnam
Schlenker
Sorlie of Trail
Stavens
Thoreson
Walker
Watts

Absent and not voting:

Messrs.—

Anderson, Grand F'rks
Brotnov
Martin of Billings

Messrs.—

Mockler
Shannafelt
Sinclair

Messrs.—

Shirley
Wedge
White

Messrs. Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Garden moved

That the vote by which Senate Bill No. 58 was lost be reconsidered.

Which motion was lost.

Mr. Burgum moved

That the vote by which Senate Bill No. 58 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Also,

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota, relating to the release of mortgages.

Also,

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Also,

House Bill No. 132,

A bill for an act to regulate the manufacture of dairy products and imitations and substitutes therefor, prescribing

ing penalties for violations; to create the office of assistant dairy commissioner; prescribing his duties and fixing his salary; and to repeal sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

Also,

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Also,

House bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of North Dakota relating to highways on county and township lines.

Also,

House Bill No. 206,

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Also,

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Also,

House Bill No. 275,

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Also,

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of North Dakota for 1905, relating to corporations.

Also,

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Also,

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Also,

House bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Also,

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code of 1899, defining what shall be considered and held to be intoxicating liquors.

Also,

House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Also,

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Also,

Senate Bill No. 47,

A bill for an act to amend section 241, chapter IV of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Also,

Senate Bill No. 202,

A bill for an act to repeal sections 2297 to 2321, both in-

clusive, of the Revised Codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Also,

Senate Bill No. 295,

A bill for an act to amend section 8983 of the Revised Codes of 1905.

Also,

Senate Bill No. 158,

A bill for an act to amend section 1172 of the Revised Codes of 1905, relating to the industrial school and school for manual training.

Also,

Senate Bill No. 33,

A bill for an act entitled, "An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings."

And the speaker signed the same in the presence of the house.

The speaker called Mr. Watts to the chair.

SPECIAL ORDER.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Which the senate has amended as follows:

Strike out all after the enacting clause, printed bill, and substitute the following:

"SECTION 1. Whenever any peace officer of the state of North Dakota has reasonable grounds to believe that intoxicating liquor has been imported into the state of North Dakota for the purpose of sale as a beverage in violation of law, and that such liquor so imported is then stored at or in any place in any city, town, village, township or county in the jurisdiction of such peace officer, it is hereby made his duty to seize such liquor with or without a warrant, and if seized without a warrant, to invoice and keep the same in his custody until finally disposed of as hereinafter provided.

"SEC. 2. Whenever any liquor has been seized without a warrant, as provided in section 1 hereof, the officer so seizing shall immediately invoice the same and file a copy of such invoice with some police magistrate or justice of the peace within the township, city, village or town in which the seizure was made, and at the same time file with such magistrate his information on oath setting out the fact of such seizure, a description of the place from which said property was taken, the name of the owner of the liquor seized, if known to him, if not, the name of the person in whose possession it was found, if known, and stating that to the best knowledge, information and belief of the informant, the liquor seized was unlawfully imported into this state with intent to be sold herein as a beverage, and praying judgment that the liquor so seized be destroyed as now provided by law in cases of seizure under section 9368, Revised Codes 1905. Thereupon, it shall be the duty of the magistrate or justice of the peace before whom such information is filed to cause notice to be served upon the owner of any such liquor seized, if known, or upon the person in whose possession it was found, if known, or upon the agent of any such owner, if known, informing such owner, agent or person in whose possession it was found of the seizure, and that such seizure was made on the grounds that the liquor so seized had been imported into this state in violation of the prohibitory law for the purpose of being sold as a beverage, and fixing a date for the hearing and trial not more than thirty days or less than ten days after the service of such notice. If at the trial, it shall be found that the liquor so seized was imported into this state in violation of the law, the court shall order the destruction thereof in the manner now provided by law in seizures under search warrants, and the officer making such seizure and carrying out the orders of such court shall be entitled to the same fee as for service of a search warrant under the provisions of chapter 65, Revised Codes 1905.

"SEC. 3. Proof of the finding of such intoxicating liquors stored in unusual quantities shall be presumptive evidence that such liquor was imported for such purpose in violation of law.

"SEC. 4. Any magistrate or justice of the peace with whom the information has been filed as herein provided, shall immediately notify the state's attorney of his county of the filing of such information, and thereupon it shall be the duty of said state's attorney to make careful investigation of the facts, and if it shall reasonably appear that such liquor was imported into this state in violation of law, and the person causing the same to be imported or importing the same is within the county for which he is state's attorney, he shall cause the arrest and prosecution of such person under the provisions of chapter 65, Revised Codes of 1905.

"Emergency. An emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval."

Also,

In line 4, section 2, strike out words "township, village or town" and insert word "county."

In line 7, section 4, strike out words "county for which he is state's attorney" and insert the word "state."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, The fourth biennial report of the North Dakota Geological Survey, under the direction of Prof. A. G. Leonard of the state university, now in course of publication, will contain the results of exhaustive investigations made on the North Dakota clays, their physical properties, and the results of tests and analyses to determine their value, including over 150 samples from all parts of the state; and

WHEREAS, This report will be of great value in that it will make known to our people and outside investors and others the great value and possibilities of the clays of North Dakota; therefore, be it

Resolved by the Senate, the House of Representatives Concurring, That the printing commission be authorized to have 2,000 extra copies of said report printed for general circulation.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,
J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, During the recent session of the congress of the United States a bill was considered in the house of representatives providing for a deep waterway from Chicago to the gulf; and a similar bill will in all probability be introduced at the next session of the congress of the United States; and

WHEREAS, The greatest railroad magnates publicly confess the inadequacy of the railroads to meet business requirements on account of lack of cars, locomotives and tracks, and it is generally believed that inland river improvement will relieve the present traffic congestion; and

WHEREAS, The United States has the greatest natural waterways of any nation in the world and the opening and development of these waterways to the commerce of the world will not only be of great advantage to the states through which they run but also to the whole nation; and

WHEREAS, The taking up of the project of opening a deep waterway from Chicago to the gulf will naturally extend to all the great river waterways

of the United States, including the great natural channel in this state, the Missouri river, which needs only proper care to make it a mighty channel for carrying trade; now, therefore, be it

Resolved by the Senate, the House of Representatives Concurring, That the members of the tenth legislative assembly representing the people of North Dakota do hereby urge the passage of any measure introduced in the next session of congress which shall have, for its object the opening and development of the great natural internal waterways of the United States, believing it is the greatest thing which the national government can do to meet the commercial needs of the country, develop its internal possibilities and to regulate freight rates. Be it

Resolved, further, That copies of this resolution be forwarded to the several representatives of this state in congress and to the secretary of the navy.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:
House Bill No. 120,

A bill for an act to amend chapter 65 of the Penal Code of the Revised Codes of 1905 of the state of North Dakota, relating to the enforcement of the prohibition law.

Also,

House Bill No. 63,

A bill for an act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Also,

House bill No. 36,

A bill for an act to amend section 2825 of the revised codes of North Dakota, of 1905, relating to extension of corporate limits of cities.

Also,

House bill No. 12.

A bill for an act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.

Also,

House Bill No. 79,

A bill for an act to amend section 4610 of the Revised Codes of 1905, relating to building and loan associations.

Also,

House Bill No. 81,

A bill for an act requiring biennial reports to be made by the superintendents of sub-experiment stations.

Also,

House Bill No. 99,

A bill for an act to amend section 872 of the Political Code of the Revised Codes of 1905 of the Codes of North Dakota, relating to examinations and certificates for teachers in public schools.

Were delivered to the governor at the hour of 3:45 o'clock p. m. March 7, 1907.

THOS. H. PUGH,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to transmit herewith

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 152,

A bill for an act entitled an act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the First judicial district.

Also,

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 176,

A bill for an act to amend section 9929 of the Revised
Codes of the state of North Dakota.

Which the senate has amended as follows:

That the title be amended by adding after the word "Dakota" the following: "relating to prejudice of judge."

And passed as amended.

Very respectfully,
J. W. FOLEY,
Secretary.

The speaker in the chair.

SPECIAL ORDER.

House bill No. 23.

A bill for an act to prohibit the use of money by corporations in elections and to prevent them from rendering any free service for any political purpose whatsoever.

Mr. White moved

That the committee amendments be adopted.

Which motion prevailed, and

The amendments were adopted.

Mr. White offered the following amendment and moved its adoption:

"SEC. 5. All acts or parts of acts, excepting section number 368 of the Revised Codes of 1905, in so far as they are in conflict with the provisions of this act, are hereby repealed."

Which motion prevailed, and

The amendment was adopted.

Mr. Stevens offered the following amendment and moved its adoption:

"Nor shall any provision of this act prevent any common carrier carrying persons actively engaged in the pursuit of emigration or land business in this state, free of charge, or by any special arrangements which said common carrier may see fit to make."

Which motion prevailed, and

The amendment was adopted.

Mr. Sorley of Grand Forks moved to amend

By adding to the end of section 3 the following: "An employee is hereby defined to be a person who in good faith is upon the payroll of any such corporation."

Which motion prevailed, and
The amendment was adopted.

Senate Bill No. 23,

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any public service corporation, or any officer, agent or representative thereof, to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege, at rates less than charged the public, and prescribing penalties therefor.

Mr. Stevens moved

That the further consideration of the bill as amended be indefinitely postponed.

Roll call demanded.

The question being on the indefinite postponement of the bill.

The roll was called and there were ayes 42, nays 54, absent and not voting 3, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Elhard	McDowall
Andrus	Evans	Miller
Brodie	Flamer	Murphy
Burdick	Giedt	Parkhill
Buttz	Hankinson	Pugh
Carter	Hosford	Putnam
Chapman	Jensen	Rohs of Morton
Church	Johnson of Sargent	Rose of Dickey
Collins	Johnson of Ward	Schlenker
Connolly	Jones of Barnes	Simpson
Crawford	Jones of Ransom	Stevens
Cunningham	Martin of Morton	Treat
Dean	Martin of Billings	Wake
Dibley	Mathews	Wedge

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Purdon
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, Bernt	Hanson	Sorley of Grand Forks
Anderson, O. P. N.	Haugen	Sorlie of Traill
Blake	Hemmingsen	Stavens
Blegen	Johnson of Pembina	Steen

Messrs.—	Messrs.—	Messrs.—
Brotnov	Law	Storey
Burgum	Midgarden	Swendseid
Casey	Mockler	Syverson
Duncan	Monek	Thoreson
Freeman	Moore	Tofsrud
Ganssle	Morin	Tufte
Garden	Nelson of Steele	Ueland
Gibbens	Nelson of Traill	Walker
Graham	Oveson	Watts
Grant	Peake	Welford
Griffith	Piper	White
Halaas	Plath	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Shannafelt	Sinclair	Shirley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Shannafelt	Sinclair	Shirley

Messrs. Shannafelt and Shirley being excused.

Mr. Pugh passed.

So the motion was lost.

Mr. Stevens moved

That Senate Bill No. 23 be placed upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 23,

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any public service corporation, or any officer, agent or representative thereof, to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege, at rates less than charged the public, and prescribing penalties therefor.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 56, nays 40, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hallick	Purdon
Anderson, Grand F'rks	Hanawalt	Restemayer
Anderson, Bernt	Hanson	Sorley of Grand Forks
Anderson, O. P. N.	Haugen	Sorlie of Traill
Blake	Hemmingsen	Stavens
Blegen	Jensen	Steen
Brotnov	Johnson of Pembina	Storey
Burgum	Law	Swendseid
Casey	McDowall	Syvertson
Connolly	Mockler	Thoreson
Cunningham	Moore	Tofsrud
Duncan	Morin	Tufte
Freeman	Nelson of Steele	Ueland
Ganssle	Nelson of Traill	Walker
Garden	Oveson	Watts
Gibbens	Peake	Welford
Graham	Piper	White
Grant	Plath	Mr. Speaker
Halaas	Pugh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Flamer	Miller
Andrus	Giedt	Monek
Brodie	Griffith	Murphy
Burdick	Hankinson	Putnam
Buttz	Hosford	Rohs of Morton
Carter	Johnson of Sargent	Rose of Dickey
Chapman	Johnson of Ward	Schlenker
Church	Jones of Barnes	Simpson
Collins	Jones of Ransom	Stevens
Crawford	Martin of Morton	Streeter
Dean	Martin of Billings	Treat
Dibley	Mathews	Wake
Elhard	Midgarden	Wedge
Evans		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Parkhill	Sinclair	Shirley
Shannafelt		

Messrs. Shannafelt and Shirley being excused.
So the bill passed and the title was agreed to.

Mr. Tufte moved

That the vote by which Senate Bill No. 23 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to request, for the second time, the return of House Bill No. 183, messaged to the senate on March 6, at the direction of the senate.

J. W. FOLEY,
Secretary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays 2, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Piper
Adams	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Church	Jones of Ransom	Steen
Collins	Law	Stevens
Connolly	Martin of Morton	Storey
Crawford	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dean	McDowall	Syverson
Dibley	Midgarden	Thoreson

Messrs.—	Messrs.—	Messrs.—
Duncan	Miller	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Tufte
Flamer	Moore	Ueland
Freeman	Morin	Wake
Ganssle	Murphy	Walker
Garden	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Giedt	Oveson	Welford
Graham	Farkhill	White
Grant	Peake	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chapman	Shannafelt	Shirley
Johnson of Ward	Sinclair	

Messrs. Bernt Anderson and Carter voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 2, absent and not voting 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Piper
Adams	Giedt	Plath
Anderson, Grand F'rks	Graham	Pugh
Anderson, Bernt	Grant	Purdon
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hallick	Restemayer
Blake	Hannawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brodie	Hanson	Schlenker
Brotnov	Haugen	Sorley of Grand Forks
Burdick	Hemmingsen	Sorlie of Traill
Burgum	Hosford	Stavens
Buttz	Jensen	Steen
Carter	Johnson of Pembina	Stevens
Casey	Johnson of Sargent	Streeter
Chapman	Johnson of Ward	Swendseid
Church	Jones of Barnes	Syvertson
Collins	Jones of Ransom	Thoreson
Connolly	Law	Tofsrud
Crawford	Martin of Morton	Treat
Cunningham	Mathews	Tufte
Dean	McDowall	Ueland

Messrs.—	Messrs.—	Messrs.—
Dibley	Midgarden	Wake
Duncan	Monek	Walker
Elhard	Moore	Wedge
Evans	Morin	Welford
Flamer	Nelson of Steele	White
Ganssle	Oveson	Mr. Speaker
Garden	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Freeman	Murphy	Simpson
Griffith	Nelson of Traill	Sinclair
Martin of Billings	Parkhill	Shirley
Miller	Shannafelt	Watts

Messrs. Mockler and Storey voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 253 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the sentae:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

The speaker called Mr. Piper to the chair.

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Evans	Morin	Wake
Flamer	Murphy	Walker
Freeman	Nelson of Steele	Wedge
Ganssle	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Chapman	Miller	Sinclair
Griffith	Parkhill	Shirley
Martin of Billings	Shannafelt	Watts
Mathews	Simpson	Mr. Speaker

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 337 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 119,

A bill for an act to amend and re-enact section 1582 of the Revised Codes of North Dakota of 1905, relating to the redemption of real estate from tax sale.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819, 836, 847, 879, 892, 912 of the Revised Codes of 1905, relating to education.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 85, nays 2, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Restemayer

Messrs.—

Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Ganssle
Giedt

Messrs.—

Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Mathews
McDowall
Midgarden
Mockler
Monek
Moore
Morin
Nelson of Traill
Oveson
Parkhill
Peake
Piper

Messrs.—

Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Tufte
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Chapman
Garden
Gibbens
Griffith
Hosford

Messrs.—

Martin of Billings
Miller
Murphy
Putnam

Messrs.—

Shannafelt
Sinclair
Shirley
Mr. Speaker

Messrs. Martin of Morton and Nelson of Steele voting in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 163 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of several ownership.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Plath
Anderson, Grand F'rks	Grant	Pugh
Anderson, Bernt	Griffith	Purdon
Anderson, O. P. N.	Halaas	Putnam
Andrus	Hallick	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brodie	Hanson	Schlenker
Brotnov	Haugen	Simpson
Burgum	Hemmingsen	Sorley of Grand Forks
Buttz	Hosford	Sorlie of Traill
Carter	Jensen	Stavens
Casey	Johnson of Pembina	Steen
Chapman	Johnson of Sargent	Stevens
Church	Johnson of Ward	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Dibley	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Feake	White
Giedt	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Monek	Sinclair
Burdick	Murphy	Shirley
Jones of Barnes	Parkhill	Mr. Speaker
Martin of Billings	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Brodie moved

That the vote by which Senate Bill No. 306 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Mr. Stevens moved

That the house return House Bill No. 183 to the senate.

Which motion was lost.

Mr. Stevens moved that the senate be notified as to the action of the house.

Which motion prevailed.

Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 5, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Parkhill
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hankinson	Rohs of Morton
Blegen	Hanson	Rose of Dickey
Brodie	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syvertson
Cunningham	Martin of Billings	Treat
Dean	Mathews	Tufte
Dibley	McDowall	Ueland
Duncan	Midgarden	Wake
Elhard	Miller	Walker
Evans	Mockler	Watts
Flamer	Monek	Wedge
Freeman	Moore	Welford
Garden	Morin	White
Gibbens	Nelson of Traill	Mr. Speaker
Giedt	Oveson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Peake	Tofsrud
Nelson of Steele	Purdon	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Murphy	Shirley
Chapman	Pugh	Sinclair
Ganssle	Shannafelt	Thoreson

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which Senate Bill No. 159 passed be

reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Speaker :

Your steering committee recommend that Senate Bill No. 320 be amended by striking out section 1077 and section 1082, and that sections of said bill be renumbered to conform with above amendment and when so amended recommend that the same do pass.

Further that the following bills be taken up in the following order :

Senate Bill No. 271,

A bill for an act to amend section 7246 of the Revised Codes of 1905, relating to examination of parties.

Also,

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Also,

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendent of county asylum and poor farm.

Also,

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Also,

Senate Bill No. 156,

A bill for an act to amend section 8083 of the Revised Codes of 1905, relating to inventory and appraisement of the decedent's estate.

Also,

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Also,

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten abstracts and briefs in certain criminal cases on appeal to the supreme court.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Also,

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

J. A. SORLEY,

Chairman.

Senate Bill No. 222,

A bill for an act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the state on the standard forms recommended by the United States bureau of the census and the American Public Health Association; and making an appropriation for establishing and maintaining such a bureau and providing certain penalties.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 81, nays 6, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz

Messrs.—

Giedt
Graham
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Hemmingsen
Hosford
Jensen

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Johnson of Pembina	Sorley of Grand Forks
Casey	Johnson of Sargent	Sorlie of Traill
Chapman	Johnson of Ward	Stavens
Church	Jones of Barnes	Stevens
Collins	Jones of Ransom	Storey
Connolly	Law	Streeter
Cunningham	Martin of Morton	Swendseid
Crawford	Mathews	Syverson
Dibley	McDowall	Thoreson
Duncan	Mockler	Treat
Elhard	Monek	Tufte
Flamer	Moore	Wake
Freeman	Morin	Walker
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Grant	Steen
Dean	Midgarden	Tofsrud

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Murphy	Shirley
Evans	Parkhill	Ueland
Haugen	Shannafelt	Watts
Martin of Billings	Sinclair	Wedge
Miller		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Peake moved

That the vote by which Senate Bill No. 222 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

I have the honor to transmit herewith

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Also,

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised

Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 320,

A bill for an act to amend sections 1077, 1078, 1079, 1082, 1084, 1085, 1086, 1087, and 1090 of the Revised Codes of North Dakota of 1905, relative to the state normal schools at Valley City and Mayville.

Was read the third time.

The steering committee recommend that the bill be amended as follows:

Strike out sections 1077 and 1082 and that sections of said bill be re-numbered to conform with above amendments.

Which amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Parkhill
Adams	Giedt	Peake
Anderson, Grand F'rks	Graham	Piper
Anderson, Bernt	Grant	Pugh
Anderson, O. P. N.	Griffith	Purdon
Andrus	Halaas	Putnam
Blake	Hallick	Restemayer
Blegen	Hanawalt	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Simpson
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Morton	Syverson
Crawford	Mathews	Thoreson
Cunningham	McDowall	Tofsrud
Dean	Midgarden	Treat
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Nelson of Traill	Welford
Garden	Oveson	Mr. Speaker

Absent and not voting:

Messrs.—

Hankinson
Hanson
Martin of Billings
Murphy

Messrs.—

Plath
Shannafelt
Sinclair

Messrs.—

Sorley of Grand Forks
Shirley
White

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which Senate Bill No. 320 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Treat moved

That the vote by which Senate Bill No. 259 passed be reconsidered.

Which motion was lost.

Mr. Haugen moved

That the vote by which Senate Bill No. 259 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 271,

A bill for an act to amend section 7246 of the Revised Codes of 1905, relating to examination of parties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Cunningham

Messrs.—

Garden
Gibbens
Giedt
Graham
Grant
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Syvertson
Tofsrud
Treat
Tuft

Messrs.—
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle

Messrs.—
 Law
 Mathews
 Miller
 Mockler
 Monek
 Moore
 Morin
 Nelson of Trail

Messrs.—
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—
 Adams
 Brodie
 Crawford
 Griffith
 Hankinson
 Martin of Morton
 Martin of Billings
 McDowall

Messrs.—
 Midgarden
 Murphy
 Nelson of Steele
 Oveson
 Rohs of Morton
 Rose of Dickey
 Shannafelt

Messrs.—
 Sinclair
 Shirley
 Stevens
 Storey
 Streeter
 Swendseid
 Thoreson

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 271 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 58, nays 4, absent and not voting 38.

Those who voted in the affirmative were:

Messrs.—
 Aaker
 Anderson, Bernt
 Andrus
 Blegen
 Burdick
 Burgum
 Buttz
 Carter
 Casey
 Chapman
 Church
 Collins
 Connolly
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer

Messrs.—
 Freeman
 Ganssle
 Giedt
 Grant
 Hallick
 Hanawalt
 Hosford
 Jensen
 Johnson of Sargent
 Johnson of Ward
 Jones of Parnes
 Jones of Ransom
 Law
 Mathews
 Miller
 Mockler
 Monek
 Morin
 Pugh

Messrs.—
 Purdon
 Putnam
 Restemayer
 Schlenker
 Simpson
 Sorlie of Traill
 Stavens
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Tufte
 Ueland
 Wake
 Walker
 Watts
 Wedge
 White
 Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Steen	Welford
Nelson of Steele		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Haugen	Piper
Anderson, Grand F'rks	Hemmingsen	Plath
Anderson, O. P. N.	Johnson of Pembina	Rohs of Morton
Blake	Martin of Morton	Rose of Dickey
Brodie	Martin of Billings	Shannafelt
Crawford	McDowall	Sinclair
Garden	Midgarden	Sorley of Grand Forks
Gibbens	Moore	Shirley
Graham	Murphy	Stevens
Griffith	Nelson of Traill	Storey
Halaas	Oveson	Streeter
Hankinson	Parkhill	Treat
Hanson	Peake	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 251 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

GOVERNOR'S OFFICE, NORTH DAKOTA,
March 7, 1907.

To the House of Representatives:

GENTLEMEN: The large number of vouchers presented to the auditing board by the Tenth legislative assembly has caused me to examine the law in reference to employes that may be employed in the house of representatives, and on examining the law I find that you have appointed a great many more employes than the law allows you. The number of employes appointed without authority of law is as follows:

Fifteen committee clerks, one extra clerk, five stenographers, four janitors, one clerk in charge of pages, two mailing clerks, one voucher clerk, one bookkeeper, one assistant sergeant-at-arms, one bill-room clerk, one postmaster, one manager and two pages, making in all 36 employes not authorized by law.

The number of employes of the house and their salaries is fixed by section 28 of the Compiled Laws of 1905, except that this part of said section has been repealed, viz.: "In addition to the above there shall be appointed by the speaker, when deemed necessary by the house, such assistant enrolling and engrossing clerks as may be actually necessary, who shall each receive a compensation of four dollars per day."

This provision in the said section 28 of the Revised Codes of 1905 is in conflict with chapter 83 of the Laws of 1901, which provides that the enrolling and engrossing shall be done by contract and contains a repealing clause repealing all laws in conflict therewith.

On examination I find that one A. L. Woods has entered into a contract to and with the state, by the terms of which he agrees to do the enrolling and engrossing of all the work of the house and senate of this legislative assembly and has filed with his said contract in the office of the secretary of state his bond for the faithful performance of such enrolling and engrossing. The state being a party to this contract, the state is obligated to pay A. L. Woods for such enrolling and engrossing, and hence said chapter 83 of the Laws of 1901, the same being sections 84 and 85 of the Revised Codes of 1905, is in conflict with the provision in section 28 and therefore such provision is repealed, and the only employes that you are allowed under the law are those which precede the provisions referred to in said section 28.

Section 30 of the Revised Code of 1905 reads as follows: "The respective amounts due each clerk, officer or employe so employed and appointed shall be audited and paid out of the state treasury upon an account certified to as correct by the presiding officer of the respective houses, duly attested by the secretary and chief clerk thereof, and when so audited and attested the state auditor is authorized and directed to draw his warrant therefor upon the state treasurer."

This refers to the employes that are designated in section 28 and to no others, and it follows that the salaries only of the officers and employes designated can be audited and allowed.

I therefore request your honorable body to correct your list of employes and make it conform to the law so that the auditing board may know whose salaries to audit and allow.

I have the honor to be,

Respectfully,

JOHN BURKE,
Governor.

Mr. Buttz moved

That the house take a recess from 5:30 o'clock until 6:30 this evening.

Which motion prevailed, and

The house took a recess until 6:30 p. m. this evening.

AFTER RECESS.

The house assembled at 6:30 o'clock pursuant to recess taken.

Mr. Sorley of Grand Forks moved

That Mr. Shannafelt be excused for the balance of the session.

Which motion prevailed.

Mr. Stevens moved

That the speaker appoint a committee of three to whom the communication from the governor is referred, and such committee to confer with the governor in regard to the same.

Which motion prevailed.

The speaker appointed as such committee Messrs. Casey, Ueland and Anderson of Grand Forks.

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendent of county asylum and poor farm.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays none, absent and not voting 22.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Plath
Adams	Graham	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Rohs of Morton
Blegen	Hankinson	Rose of Dickey
Brotnov	Hanson	Schlenker
Burdick	Haugen	Simpson

Messrs.—

Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans
Flamer
Ganssle
Garden
Gibbens

Messrs.—

Hemmingsen
Hosford
Jensen
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore
Morin
Nelson of Steele
Parkhill
Peake
Piper

Messrs.—

Sorley of Grand Forks
Sorlie of Trail
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Treat
Tufte
Ueland
Wake
Watts
Welford
White
Mr. Speaker

Absent and not voting:

Andrus

Brodie

Blake

Dibley

Freeman

Grant

Halaas

Johnson of Pembina

Johnson of Sargent

Martin of Billings

McDowall

Monek

Murphy

Nelson of Trail

Oveson

Restemayer

Shannafelt

Sinclair

Shirley

Tofsrud

Walker

Wedge

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Church moved

That the vote by which Senate Bill No. 318 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That House Bill No. 278 be made a special order for 8 o'clock a. m. tomorrow morning.

Which motion prevailed.

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 19, absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Garden	Plath
Anderson, Bernt	Giedt	Pugh
Andrus	Graham	Purdon
Blegen	Grant	Restemayer
Brotnov	Halaas	Rohs of Morton
Burdick	Hallick	Rose of Dickey
Burgum	Hanawalt	Schlenker
Buttz	Hankinson	Simpson
Carter	Hanson	Sorley of Grand Forks
Casey	Hemmingsen	Sorlie of Traill
Chapman	Jensen	Stavens
Connolly	Johnson of Ward	Stevens
Crawford	Jones of Barnes	Streeter
Cunningham	Jones of Ransom	Swendseid
Dean	Law	Syverson
Duncan	Martin of Morton	Thoreson
Elhard	Midgarden	Ueland
Evans	Miller	Wake
Flamer	Mockler	White
Freeman	Parkhill	Mr. Speaker
Ganssle	Peake	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Pembina	Putnam
Adams	Mathews	Steen
Anderson, O. P. N.	Moore	Storey
Church	Morin	Tufte
Gibbens	Nelson of Steele	Walker
Haugen	Piper	Welford
Hosford		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	McDowall	Sinclair
Brodie	Monek	Shirley
Collins	Murphy	Tofsrud
Dibley	Nelson of Traill	Treat
Griffith	Oveson	Watts
Johnson of Sargent	Shannafelt	Wedge
Martin of Billings		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 267 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 156,

A bill for an act to amend section 8083 of the Revised Codes of 1905, relating to inventory and appraisement of the decedent's estate.

Was read the third time.

Mr. White moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. White moved

That the vote by which Senate Bill No. 156 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Moore to the chair.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to return herewith
House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Which the senate has amended as follows:

In section 1, line 9, of the printed bill, after the word "safety" insert the words: "Provided, that where any railroad operating three or more regular passenger trains in each direction daily, the provisions of this act shall not apply to one of such trains each way."

And passed as amended.

Also,

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Which the senate has amended as follows:

In section 1, line 20, of the printed bill, strike out the word "wilful" and insert the words "grossly negligent" in lieu thereof.

Also, in section 1, line 28, of the printed bill, after the word "him" insert the words "and twenty-five dollars as attorney's fee when it shall be adjudged by a court of competent jurisdiction that the claimant is entitled to the amount claimed."

And passed as amended.

Also,

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Which the senate has amended as follows:

That on page 2, in line 16, of the printed bill, insert the following after the word "where:" "a record of the."

And passed as amended.

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Which the senate has amended as follows:

The title be amended to read as follows: "A bill for an act authorizing the board of county commissioners to appoint a board of visitors whose duty it shall be to visit county asylums or poor farms and make report thereon."

Strike out the words in section 1: "That section 1882 of the Revised Codes of the state of North Dakota for 1905 is hereby amended to read as follows: \ Section 1882."

And passed as amended.

Also,

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Which the senate has amended as follows:

That on page 1 in line 10 of section 25 of the printed bill insert the following after the word "laws:" "And amendments to the constitution."

That on page 2, in line 18, of the printed bill, insert the following after the word "proposed:" "But the same constitutional amendment shall not be proposed oftener than once in ten years."

That on page 4, in line 68, of the printed bill, insert the following after the word "any:" "Constitutional amendment or other."

And passed as amended.

Also,

House Bill No. 337,

A bill for an act to amend section 364 of the Revised Codes of North Dakota for 1905 relating to the board of railroad commissioners.

Also,

House Bill No. 324,

A bill for an act to amend chapter 79 of the Revised Codes of 1905, relating to mechanic's liens.

Also,

House Bill No. 317,

A bill for an act to amend section 1582 of the Revised Codes of 1905, relating to redemption from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.

Which the senate has indefinitely postponed.

Also,

House Bill No. 54,

A bill for an act amending section 2439 of the Revised Codes of 1905, relating to county funds.

Which the senate has amended as follows:

That in line 6 of the printed bill insert the words "five hundred" after the word "thousand."

That in line 9 of the printed bill strike out the words "or six months."

After last word in last line add the following: "Provided, that the rate of interest offered by banks making bids for sinking funds shall be the same rate of interest as paid on other county funds."

And passed as amended.

Also,

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Also,

House bill No. 11,

A bill for an act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively,

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Also,

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Also,

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten abstracts and briefs in certain criminal cases on appeal to the supreme court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays none, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Andrus
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Evans

Messrs.—

Grant
Griffith
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Moore
Morin

Messrs.—

Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Rohs of Morton
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Tufte
Ueland
Wake
Walker

Messrs.—
 Flamer
 Freeman
 Gibbens
 Giedt
 Graham

Messrs.—
 Nelson of Steele
 Parkhill
 Peake
 Piper
 Plath

Messrs.—
 Watts
 Wedge
 Welford
 White

Absent and not voting:

Messrs.—
 Anderson, O. P. N.
 Blake
 Brodie
 Dibley
 Ganssle
 Garden
 Halaas

Messrs.—
 Hallick
 Martin of Billings
 McDowall
 Monek
 Murphy
 Nelson of Traill
 Oveson

Messrs.—
 Schlenker
 Shannafelt
 Sinclair
 Shirley
 Treat
 Mr. Speaker

Messrs Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which Senate Bill No. 279 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined
 House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Also,

House Bill No. 108,

A bill for an act amending section 10088 or the Revised Codes of 1905, relating to criminal procedure.

Also,

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Also,

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, pro-

viding for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Also,

House Bill No. 18,

A bill for an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Also,

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 152,

A bill for an act entitled an act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the First judicial district.

Also,

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2215, 2218 and 2226, in relation to oil inspection.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 14, absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Blegen

Brotnov

Burdick

Messrs.—

Garden

Gibbens

Giedt

Graham

Griffith

Halaas

Hallick

Hanawalt

Messrs.—

Pugh

Putnam

Restemayer

Rose of Dickey

Simpson

Sorley of Grand Forks

Sorlie of Traill

Stavens

Messrs.—	Messrs.—	Messrs.—
Burgum	Hankinson	Stevens
Buttz	Hemmingsen	Streeter
Carter	Hosford	Swendseid
Casey	Jensen	Syvertson
Chapman	Jones of Barnes	Thoreson
Church	Jones of Ransom	Tofsrud
Collins	Law	Tufte
Cunningham	Miller	Ueland
Dean	Mockler	Wake
Elhard	Monek	Walker
Evans	Moore	Watts
Flamer	Peake	Wedge
Freeman	Piper	White
Ganssle	Plath	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Martin of Morton	Rohs of Morton
Duncan	Midgarden	Steen
Grant	Nelson of Steele	Storey
Hanson	Oveson	Welford
Haugen	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Ward	Purdon
Blake	Martin of Billings	Schlenker
Brodie	Mathews	Shannafelt
Crawford	McDowall	Sinclair
Dibley	Morin	Shirley
Johnson of Pembina	Murphy	Treat
Johnson of Sargent	Nelson of Trail	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 169 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker in the chair.

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

Was read the third time.

Mr. Ueland moved

That the amendments recommended by the steering committee in Senate Bill No. 127 be adopted.

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 54, nays 25, absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Ganssle	Plath
Anderson, Bernt	Giedt	Pugh
Anderson, O. P. N.	Graham	Purdon
Andrus	Griffith	Putnam
Burdick	Halaas	Rohs of Morton
Burgum	Hankinson	Rose of Dickey
Buttz	Hanson	Simpson
Carter	Haugen	Sorley of Grand Forks
Casey	Jensen	Sorlie of Traill
Church	Jones of Barnes	Stavens
Chapman	Jones of Ransom	Stevens
Collins	Law	Streeter
Connolly	Mathews	Syverson
Crawford	Miller	Thoreson
Cunningham	Mockler	Tuft
Elhard	Moore	Wake
Evans	Peake	White
Freeman	Piper	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Hemmingsen	Oveson
Brotnov	Hosford	Restemayer
Duncan	Johnson of Pembina	Steen
Flamer	Martin of Morton	Storey
Gibbens	Midgarden	Swendseid
Grant	Monek	Tofsrud
Hallick	Morin	Wedge
Hanawalt	Nelson of Steele	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Johnson of Ward	Shannafelt
Andrus	Martin of Billings	Sinclair
Blake	McDowall	Shirley
Brodie	Murphy	Treat
Dibley	Nelson of Traill	Ueland
Garden	Parkhill	Walker
Johnson of Sargent	Schlenker	Watts

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Buttz moved

That the vote by which Senate Bill No. 127 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Speaker :

Your steering committee recommends that the following senate bills be placed upon their third reading and final passage in the order named.

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing sections 1283 and 1284 of the Revised Codes of the state of North Dakota of 1905.

Also,

Senate Bill No. 203,

A bill for an act to regulate the employment and occupation of railway telegraphers by railroad companies, and establishing a board of telegraph examiners, and prescribing penalties for violation thereof.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Also,

Senate Bill No. 334,

A concurrent resolution.

Also,

Senate Bill No. 95,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and the board of township supervisors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Also,

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facie evidence of the indebtedness sued on.

Also,

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Also,

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

J. A. SORLEY,
Chairman.

Mr. J. A. Sorley moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Also,

House Bill No. 18,

A bill for an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Also,

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Also,

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Also,

House Bill No. 108,

A bill for an act amending section 10088 or the Revised Codes of 1905, relating to criminal procedure.

Also,

House Bill No. 152,

A bill for an act entitled "An act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the first judicial district.

Also,

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2215, 2218 and 2226, in relation to oil inspection.

And the speaker signed the same in the presence of the house.

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing sections 1283 and 1284 of the Revised Codes of the state of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays none, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Pugh
Adams	Grant	Purdon
Anderson, Grand F'rks	Griffith	Putnam
Anderson, Bernt	Halaas	Restemayer
Anderson, O. P. N.	Hallick	Rohs of Morton
Andrus	Hanawalt	Rose of Dickey
Blegen	Hankinson	Schlenker
Brotnov	Hanson	Simpson
Burdick	Haugen	Sorley of Grand Forks
Burgum	Hemmingsen	Sorlie of Traill
Buttz	Hosford	Stavens
Carter	Jensen	Steen
Casey	Johnson of Pembina	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Collins	Jones of Ransom	Swendseid
Connolly	Law	Syverson
Crawford	Martin of Morton	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Tufte
Duncan	Miller	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Piper	Mr. Speaker
Giedt	Plath	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blake	McDowall	Shannafelt
Brodie	Murphy	Sinclair
Dibley	Oveson	Shirley
Johnson of Sargent	Parkhill	Treat
Martin of Billings	Peake	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Collins moved

That the vote by which Senate Bill No. 233 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 203,

A bill for an act to regulate the employment and occupation of railway telegraphers by railroad companies, and establishing a board of telegraph examiners, and prescribing penalties for violation thereof.

Was read the third time.

Mr. Burdick moved

That the further consideration of Senate Bill No. 203 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Stevens moved

That the vote by which Senate Bill No. 203 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

Senate Bill No. 104,

A bill for an act making it unlawful for any corporation to use any of its money or property or any thing of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or any thing of value and prescribing penalties therefor.

Also,

Senate Bill No. 162,

A bill for an act to amend section 894 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 110,

A bill for an act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors; and to repeal section 9395 of the Revised Codes of 1905, being chapter 39 of the Session Laws of 1903.

Also,

Senate Bill No. 302,

A Concurrent Resolution for an amendment to the constitution, relating to the sale of school lands.

Also,

Senate Bill No. 131,

A bill for an act to amend section 1597 of the Revised Code of 1905 of the State of North Dakota, relative to duty of county auditor.

Also,

Senate Bill No. 287,

A bill for an act to amend section 183 of the Revised Codes of 1905 of chapter 4 of the political code of the State of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Also,

Senate Bill No. 308,

A bill for an act to amend sections 2889, 8292, 8295, 8304, 8311, 8816 and 8318 of the Revised Codes of North Dakota for 1905.

Also,

Senate Bill No. 205,

A bill for an act entitled an act to amend sections 1819, 1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the Revised Codes of 1905, the same being embraced in chapter 23 of the Political Code relating to drainage.

Also,

Senate Bill No. 339,

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Also,

Senate Bill No. 282,

A bill for an act to establish regular sessions for state board of railway commissioners and fixing the time, manner, and place, where such sessions shall be held, and otherwise defining their powers, and duties; also defining the duties of the attorney general in relation thereto.

Also,

Senate Bill No. 273,

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for 1905, relating to the

construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 224,

A bill for an act providing for the placing of the inmates of the reform school of the state of North Dakota under the guardianship and control of the board of trustees of said reform school.

Also,

Senate Bill No. 269.

A bill for an act to amend and re-enact section 2894 of the Revised Codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Also,

Senate Bill No. 144,

A bill for an act to amend section 949 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 83,

A bill for an act to repeal section 49 of the Revised Codes of 1905, being section 50 of the Revised Codes of 1895, being section 11, of chapter 119, of the Laws of 1890, and section 2282 of the Revised Codes of 1905, being section 1807 of the Revised Codes of 1895, as amended by chapter 125 of the Laws of 1899, relating to public printing.

Also,

Senate Bill No. 73,

A bill for an act to amend section 4449 of the Revised Codes of 1905, relating to mutual insurance companies engaged in hail insurance.

Also,

Senate Bill No. 24,

A bill for an act to amend section 1016 of the Revised Codes of 1905, relating to report by city treasurer of receipts and disbursements of moneys of independent school districts.

And the speaker signed the same in the presence of the house.

Senate Bill No. 336,

A bill for an act providing that boards of trustees of the state institutions shall file with the governor in each even numbered year a statement of needs for permanent improvements.

Mr. Buttz moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Buttz moved

That the vote by which Senate Bill No. 336 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 61, nays 28, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Garden	Miller
Anderson, Grand F'rks	Gibbens	Mockler
Andrus	Giedt	Monek
Brodie	Graham	Peake
Burdick	Griffith	Plath
Burgum	Halaas	Pugh
Buttz	Hallick	Purdon
Carter	Hanawalt	Rohs of Morton
Casey	Hankinson	Rose of Dickey
Chapman	Hanson	Schlenker
Church	Haugen	Simpson
Collins	Hosford	Sorley of Grand Forks
Connolly	Johnson of Pembina	Sorlie of Traill
Crawford	Johnson of Sargent	Stevens
Cunningham	Johnson of Ward	Streeter
Duncan	Jones of Barnes	Ueland
Elhard	Jones of Ransom	Watts
Evans	Law	Welford
Flamer	Martin of Billings	White
Freeman	Mathews	Mr. Speaker
Ganssle		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Moore	Steen
Anderson, O. P. N.	Morin	Storey
Blegen	Nelson of Steele	Swendseid
Brotnov	Oveson	Syverson
Dean	Parkhill	Thoreson
Grant	Piper	Tofsrud

Messrs.—
Hemmingsen
Jensen
Martin of Morton
Midgarden

Messrs.—
Putnam
Restemayer
Stavens

Messrs.—
Tufte
Wake
Walker

Absent and not voting:

Messrs.—
Anderson, Bernt
Blake
Dibley
McDowall

Messrs.—
Murphy
Nelson of Traill
Shannafelt
Sinclair

Messrs.—
Shirley
Treat
Wedge

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 255 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That two extra members be appointed on the committee to confer with the governor in regard to governor's message.

Which motion prevailed, and

The speaker appointed as such committee Messrs. Sorley of Grand Fork and Peake.

Senate Bill No. 334,

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—
Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford

Messrs.—
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews

Messrs.—
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson

Messrs.—	Messrs.—	Messrs.—
Cunningham	Midgarden	Thoreson
Dean	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Oveson	Welford
Garden	Parkhill	White
Giedt	Peake	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Traill	Tofsrud
McDowall	Shannafelt	Treat
Murphy	Shirley	

Mr. Gibbens voted in the negative.

Messrs Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 234 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 95,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 5, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Piper
Adams	Griffith	Plath
Anderson, Grand Forks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Haugen	Rohs of Morton
Blegen	Hemmingsen	Rose of Dickey
Brodie	Hosford	Schlenker
Brotnov	Jensen	Simpson
Burdick	Johnson of Pembina	Sorley of Grand Forks

Messrs.—	Messrs.—	Messrs.—
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Stevens
Casey	Jones of Ransom	Storey
Chapman	Law	Streeter
Church	Martin of Morton	Swendseid
Collins	Martin of Billings	Syverson
Connolly	Mathews	Thoreson
Crawford	Midgarden	Tufte
Cunningham	Miller	Ueland
Dean	Mockler	Wake
Duncan	Monek	Walker
Elhard	Moore	Watts
Evans	Morin	Wedge
Flamer	Nelson of Steele	Welford
Freeman	Oveson	White
Ganssle	Parkhill	Mr. Speaker
Garden	Peake	

Those who voted in the negative were:

Gibbens	Hanson	Tofsrud
Grant	Steen	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Murphy	Sinclair
Graham	Nelson of Traill	Shirley
McDowall	Shannafelt	Treat

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Ueland moved

That the vote by which Senate Bill No. 95 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

SPECIAL ORDERS.

The speaker called Mr. Ueland to the chair.

Mr. Johnson of Ward moved

That the house concur in the senate amendments to House Bill No. 278.

Mr. Sorlie of Grand Forks moved as a substitute

That the house do not concur in the senate amendments to House Bill No. 278 and that a conference committee of three be appointed by the speaker.

Roll call demanded.

The speaker in the chair.

The question being on the substitute motion.

The roll was called and there were ayes 55, nays 37, absent and not voting 7, passed 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hanson	Purdon
Anderson, Bernt	Haugen	Putnam
Anderson, O. P. N.	Hemmingsen	Restemayer
Andrus	Hosford	Rose of Dickey
Brotnov	Johnson of Pembina	Sorley of Grand Forks
Burgum	Jones of Barnes	Sorlie of Traill
Casey	Jones of Ransom	Stavens
Church	Law	Storey
Collins	Midgarden	Swendseid
Connolly	Moore	Thoreson
Cunningham	Morin	Treat
Dean	Nelson of Steele	Tufte
Flamer	Oveson	Ueland
Ganssle	Parkhill	Walker
Grant	Peake	Watts
Griffith	Piper	Welford
Halaas	Plath	White
Hallick	Pugh	Mr. Speaker
Hauawalt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Garden	Mockler
Blake	Gibbens	Monek
Blegen	Giedt	Rohs of Morton
Brodie	Graham	Schlenker
Burdick	Hankinson	Simpson
Buttz	Jensen	Steen
Carter	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Streeter
Crawford	Martin of Morton	Syvertson
Duncan	Martin of Billings	Tofsrud
Elhard	Mathews	Wake
Evans	Miller	Wedge
Freeman		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Traill	Sinclair
McDowall	Shannafelt	Shirley
Murphy		

Messrs. Shannafelt and Shirley being excused.

Mr. Aaker passed.

So the substitute motion prevailed.

The speaker appointed as conference committee on House Bill No. 278 Messrs. Peake, Burgum and Wedge.

Mr. Sorley of Grand Forks moved

That the committee be requested to take up the apportionment matter with the senate at the beginning of the session in the morning.

Which motion prevailed.

Mr. Stevens moved

That the house do now proceed to consider in their order the house bills which have been messaged from the senate. Which motion prevailed.

Mr. Haugen moved

That the house concur in the senate amendments to House Bill 190.

Which motion prevailed, and

The amendments were concurred in.

Mr. Haugen moved

That House Bill No. 190 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 72, nays 14, absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Ganssle
Garden

Messrs.—

Gibbens
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Law
Midgarden
Miller
Moore
Morin
Nelson of Steele
Oveson

Messrs.—

Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Storey
Swendseid
Syvertson
Tofsrud
Treat
Tufte
Ueland
Wake
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brodie	Giedt	Rohs of Morton
Elhard	Martin of Morton	Simpson
Evans	Martin of Billings	Stevens
Flamer	Mathews	Streeter
Freeman	Mockler	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Trail	Thoreson
Jones of Ransom	Schlenker	Walker
McDowall	Shannafelt	Watts
Monek	Sinclair	Wedge
Murphy	Shirley	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 190 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Burdick moved

That the house concur in the senate amendments to House Bill No. 230.

Which motion prevailed, and

The amendments were concurred in.

Mr. Burdick moved

That House Bill No. 230 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes, 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, O. P. N.	Griffith	Pugh
Anderson, Eernt	Halaas	Purdon
Andrus	Hallick	Putnam
Brodie	Hanawalt	Restemayer
Blake	Hankinson	Rohs of Morton

Messrs.—	Messrs.—	Messrs.—
Blegen	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Martin of Billings	Syvertson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Hanson	Rose of Dickey	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	Murphy	Sinclair
Dibley	Nelson of Traill	Shirley
Jones of Ransom	Shannafelt	Thoreson
McDowall		

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 230 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Connolly moved

That the house concur in the senate amendments to House Bill No. 68.

Which motion prevailed.

Mr. Connolly moved

That House Bill No. 68 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 86, nays 3, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Pugh
Adams	Giedt	Purdon
Anderson, Grand F'rks	Graham	Putnam
Anderson, Bernt	Grant	Restemayer
Anderson, O. P. N.	Griffith	Rohs of Morton
Andrus	Halaas	Rose of Dickey
Blake	Hallick	Schlenker
Blegen	Hanawalt	Simpson
Brodie	Hankinson	Sorley of Grand Forks
Brotnov	Hanson	Sorlie of Traill
Burdick	Haugen	Stavens
Burgum	Hemmingsen	Steen
Buttz	Hosford	Stevens
Carter	Jensen	Storey
Casey	Johnson of Pembina	Streeter
Chapman	Johnson of Sargent	Swendseid
Church	Jones of Barnes	Syverson
Collins	Jones of Ransom	Thoreson
Connolly	Martin of Morton	Tofsrud
Crawford	Martin of Billings	Tufte
Cunningham	Midgarden	Ueland
Dean	Mockler	Wake
Duncan	Morin	Walker
Elhard	Nelson of Steele	Watts
Evans	Oveson	Wedge
Flamer	Parkhill	Welford
Freeman	Peake	White
Ganssle	Piper	Mr. Speaker
Garden	Plath	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Miller	Monek	Treat

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	McDowall	Shannafelt
Johnson of Ward	Moore	Sinclair
Law	Murphy	Shirley
Mathews	Nelson of Traill	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Treat moved

That the vote by which House Bill No. 68 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house concur in the senate amendments to House Bill No. 176.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That House Bill No. 176 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Hanson	Schlenker
Brodie	Haugen	Simpson
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Church	Martin of Morton	Swendseid
Collins	Martin of Billings	Syverson
Connolly	Mathews	Thoreson
Crawford	Midgarden	Tofsrud
Cunningham	Miller	Treat
Dean	Mockler	Tufte
Duncan	Monek	Ueland
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Nelson of Steele	Watts
Freeman	Oveson	Wedge
Ganssle	Parkhill	Welford
Garden	Peake	White
Gibbens	Piper	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	McDowall	Sinclair
Johnson of Ward	Nelson of Traill	Shirley
Law	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 176 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house concur in the senate amendments to House Bill No. 43.

Which motion prevailed, and

The amendments were adopted.

Mr. Sorley of Grand Forks moved

That House Bill No. 43 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 93, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
Midgarden

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Thoreson
Tofsrud
Treat

Messrs.—	Messrs.—	Messrs.—
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt		Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Shannafelt	Shirley
Murphy	Sinclair	Syverson
Nelson of Traill		

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 43 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Mockler moved

That the house concur in the senate amendments to House Bill No. 7.

Which motion prevailed, and

The amendments were adopted.

Mr. Mockler moved

That House Bill No. 7 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 92, nays 1, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Hanson	Schlenker
Brodie	Haugen	Simpson
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Trail
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Morton	Syverson
Crawford	Martin of Billings	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Treat
Dibley	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Oveson	Welford
Garden	Parkhill	White
Gibbens	Peake	Mr. Speaker
Giedt	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	Nelson of Trail	Sinclair
McDowall	Shannafelt	Shirley
Murphy		

Mr. Jensen voted in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended, and the title was agreed to.

Mr. Mockler moved

That the vote by which House Bill No. 7 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the house concur in the senate amendments to House Bill No. 34.

Which motion prevailed, and

The amendments were adopted.

Mr. Ueland moved

That House Bill No. 34 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 90, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Restemayer
Andrus	Hanawalt	Rohs of Morton
Blake	Hankinson	Rose of Dickey
Blegen	Hanson	Schlenker
Brodie	Haugen	Simpson
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Billings	Syverson
Crawford	Mathews	Thoreson
Cunningham	Midgarden	Tofsrud
Dean	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Oveson	Wedge
Garden	Parkhill	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Church	McDowall	Shannafelt
Dibley	Murphy	Sinclair
Johnson of Ward	Nelson of Traill	Shirley
Martin of Morton		

Messrs. Shannafelt and Shirley being excused.

So the bill passed as amended, and the title was agreed to.

Hr. Stevens moved

That the vote by which House Bill No. 34 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Pugh moved

That the house concur in the senate amendments to House Bill No. 299.

Which motion prevailed, and
The amendments were adopted.

Mr. Pugh moved

That House Bill No. 299 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 57, nays none, absent and not voting 43.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Elhard	Martin of Billings
Adams	Flamer	Mockler
Anderson, Grand F'rks	Freeman	Monek
Anderson, Bernt	Ganssle	Moore
Anderson, O. P. N.	Garden	Morin
Andrus	Gibbens	Pugh
Blake	Giedt	Purdon
Blegen	Graham	Putnam
Brotnov	Grant	Rohs of Morton
Buttz	Griffith	Schlenker
Casey	Halaas	Simpson
Chapman	Hallick	Storey
Church	Hemmingsen	Streeter
Collins	Hosford	Swendseid
Connolly	Johnson of Pembina	Wake
Crawford	Johnson of Sargent	Watts
Cunningham	Johnson of Ward	Walker
Dean	Jones of Barnes	White
Duncan	Jones of Ransom	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brodie	Midgarden	Sorley of Grand Forks
Burdick	Miller	Sorlie of Traill
Burgum	Murphy	Shirley
Carter	Nelson of Steele	Stavens
Dibley	Nelson of Traill	Steen
Evans	Oveson	Stevens
Hanawalt	Parkhill	Syverson
Hankinson	Peake	Thoreson

Messrs.—

Hanson
Haugen
Jensen
Law
Martin of Morton
Mathews
McDowall

Messrs.—

Piper
Plath
Restemayer
Rose of Dickey
Shannafelt
Sinclair

Messrs.—

Tofsrud
Treat
Tufte
Ueland
Wedge
Welford

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Pugh moved

That the vote by which House Bill No. 299 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Halaas moved

That the house concur in the senate amendments to House Bill No. 54.

Which motion prevailed, and

The amendments were adopted.

Mr. Halaas moved

That House Bill No. 54 be placed upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 54,

A bill for an act making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson

Messrs.—

Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker

Messrs.—	Messrs.—	Messrs.—
Brodie	Haugen	Simpson
Brotnov	Hemmingsen	Sorley of Grand Forks
Burdick	Hosford	Sorlie of Traill
Burgum	Jensen	Stavens
Buttz	Johnson of Pembina	Steen
Carter	Johnson of Sargent	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Church	Law	Swendseid
Collins	Martin of Morton	Syvertson
Connolly	Martin of Billings	Thoreson
Crawford	Mathews	Tofsrud
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Nelson of Steele	Wedge
Ganssle	Oveson	Welford
Garden	Parkhill	White
Gibbens	Peake	Mr. Speaker
Giedt	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Murphy	Sinclair
Johnson of Ward	Nelson of Traill	Shirley
McDowall	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Blake moved

That the vote by which House Bill No. 54 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That House Bill No. 26 be made a special order at 11 o'clock a. m. tomorrow.

Which motion prevailed.

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and the board of township supervisors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brodie	Hanson	Rose of Dickey
Brotnov	Haugen	Schlenker
Burdick	Hemmingsen	Sorley of Grand Forks
Burgum	Hosford	Sorlie of Traill
Buttz	Jensen	Stavens
Carter	Johnson of Pembina	Steen
Casey	Johnson of Sargent	Stevens
Chapman	Johnson of Ward	Storey
Church	Jones of Barnes	Streeter
Collins	Jones of Ransom	Swendseid
Connolly	Law	Syvertson
Crawford	Martin of Morton	Thoreson
Cunningham	Martin of Billings	Treat
Dean	Mathews	Tufte
Duncan	Midgarden	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Welford
Ganssle	Nelson of Steele	White
Garden	Oveson	Mr. Speaker
Gibbens	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Traill	Shirley
McDowall	Shannafelt	Tofsrud
Miller	Simpson	Wedge
Murphy	Sinclair	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Piper moved

That the vote by which Senate Bill No. 211 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facie evidence of the indebtedness sued on.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 3, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Schlenker
Brodie	Hemmingsen	Simpson
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Jensen	Sorlie of Traill
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Carter	Johnson of Ward	Stevens
Casey	Jones of Barnes	Storey
Chapman	Jones of Ransom	Streeter
Church	Law	Swendseid
Collins	Martin of Morton	Syverson
Connolly	Martin of Billings	Thoreson
Crawford	Mathews	Tofsrud
Cunningham	Midgarden	Treat
Dean	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker
Graham	Piper	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Duncan	Grant

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Traill	Sinclair
McDowall	Rose of Dickey	Shirley
Murphy	Shannafelt	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Mockler moved

That the vote by which Senate Bill No. 124 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays none, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Pernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanawalt	Rohs of Morton
Blegen	Hanson	Rose of Dickey
Brodie	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Morton	Syverson
Crawford	Martin of Billings	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Nelson of Steele	Welford
Garden	Oveson	White
Gibbens	Parkhill	Mr. Speaker
Giedt	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Nelson of Traill	Shirley
McDowall	Shannafelt	Wedge
Murphy	Sinclair	

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Church moved

That the vote by which Senate Bill No. 34 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays 1, absent and not voting 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hankinson	Rohs of Morton
Blake	Hanson	Rose of Dickey
Blegen	Haugen	Schlenker
Brodie	Hemmingsen	Simpson
Brotnov	Hosford	Sorley of Grand Forks
Burdick	Jensen	Sorlie of Traill
Burgum	Johnson of Pembina	Stavens
Buttz	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Parnes	Storey
Church	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Morton	Syvertson
Crawford	Martin of Billings	Thoreson
Cunningham	Mathews	Tofsrud
Dean	Miller	Treat
Duncan	Mockler	Tufte
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Nelson of Steele	Watts
Ganssle	Oveson	Wedge
Garden	Parkhill	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dibley	Murphy	Sinclair
McDowall	Nelson of Traill	Shirley
Midgarden	Shannafelt	

Mr. Carter voting in the negative.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Piper moved

That the vote by which Senate Bill No. 213 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 4, absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Plath
Anderson, Grand F'rks	Graham	Purdon
Anderson, Pernt	Griffith	Putnam
Anderson, O. P. N.	Halaas	Restemayer
Andrus	Hallick	Rohs of Morton
Blake	Hanawalt	Rose of Dickey
Brodie	Hankinson	Schlenker
Brotnov	Hanson	Sorley of Grand Forks
Burdick	Hemmingsen	Sorlie of Traill
Buttz	Hosford	Stavens
Casey	Jensen	Stevens
Chapman	Johnson of Pembina	Storey
Church	Johnson of Ward	Streeter
Connolly	Jones of Barnes	Swendseid
Crawford	Law	Syvertson
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Tofsrud
Duncan	Monek	Treat
Elhard	Moore	Wake
Evans	Morin	Walker
Flamer	Nelson of Steele	Watts
Freeman	Oveson	Welford
Ganssle	Parkhill	White
Gibbens	Piper	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blegen	Mockler	Tufte
Haugen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Jones of Ransom	Pugh
Burgum	Martin of Morton	Shannafelt
Carter	McDowall	Simpson
Collins	Midgarden	Sinclair
Dibley	Miller	Shirley
Garden	Murphy	Steen
Grant	Nelson of Traill	Ueland
Johnson, of Sargent	Peake	Wedge

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Stevens moved

That the vote by which Senate Bill No. 277 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the house do concur in senate concurrent resolution relating to the inspection of grain.

Which motion prevailed.

On request of Mr. Treat the privileges of the floor were extended to Mr. Cole of Fargo, N. D.

On request of Mr. Burgum the privileges of the floor were extended to W. C. Morrison of Casselton, N. D.

On request of Mr. Burgum the privileges of the floor were extended to Mr. W. C. Morrison.

On request of Mr. Martin of Ward, the privileges of the floor were extended to Messrs. J. W. Foley of Billings county and W. C. Crawford of Stark county.

On request of Mr. Plath the privileges of the floor were extended to Messrs. Emil and A. Piper.

On request of Mr. Dibley the privileges of the floor were extended to Messrs. Kellar and Price of Fargo.

On request of Mr. Peake the privileges of the floor were extended to Mr. D. F. Seigfried.

On request of Mr. Brodie the privileges of the floor were extended to Captain Osborn, Rev. Jno. Degnam and S. H. Dow of Stark county.

Mr. Stevens moved

That the house take a recess until 9:30 a. m. tomorrow morning.

Which motion prevailed, and

The house took a recess until 9:30 o'clock a. m. tomorrow morning.

P. D. NORTON,
Chief Clerk.

FIFTY-NINTH DAY—AFTER RECESS

AND

SIXTIETH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 8, 1907.

The house assembled at 9:30 o'clock a. m., pursuant to recess taken.

Senate Bill No. 200,

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers, providing for its enforcement by the department of agriculture and labor.

Was read the third time.

Mr. Stevens moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

And the further consideration of the bill was indefinitely postponed.

Mr. Stevens moved

That the vote by which Senate Bill No. 200 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Resolved by the Senate of the Tenth Legislative Assembly, the House of Representatives Concurring:

That no bills shall be considered on third reading after 5 p. m. March 8, 1907.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that: House Bill No. 137,

A bill for an act relating to the use of railroad tracks for highway purposes.

Also,

House Bill No. 206,

A bill for an act to provide for the payment of the necessary traveling expenses of district judges.

Also,

House Bill No. 90,

A bill for an act requiring elevator companies transacting business in this state, to return certificate of inspection and weigh-master's certificate of weight to local buyer.

Also,

House Bill No. 237,

A bill for an act to amend section 444 of the Revised Codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Also,

House Bill No. 199,

A bill for an act to amend section 9366 of the Revised Code of 1905, same being section 7598 of the Revised Code

of 1899, defining what shall be considered and held to be intoxicating liquors.

Also,

House Bill No. 214,

A bill for an act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.

Also,

House Bill No. 198,

A bill for an act to amend section 777 of the Revised Codes of 1905, relating to education.

Also,

House Bill No. 232,

A bill for an act to amend section 9312 of the Revised Codes of 1905, making it a misdemeanor to injure or obstruct electric wire.

Also,

House Bill No. 225,

A substitute bill for House Bills No. 4, No. 13, No. 16, No. 47, and No. 164.

Also,

House Bill No. 274,

A bill for an act for the organization of villages, towns or cities in territory embracing more than one county.

Also,

House Bill No. 203,

A bill for an act to amend section 4516 of the Revised Codes of North Dakota for 1905, relating to corporations.

Also,

House Bill No. 17,

A bill for an act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Also,

House Bill No. 64,

A bill for an act providing for the revision and compilation of the school laws of the state of North Dakota.

Also,

House Bill No. 189,

A bill for an act to amend section 1367 of the Revised Codes of North Dakota, relating to highways on county and township lines.

Were delivered to the governor for his approval at the hour of 9:30 o'clock a. m., March 8, 1907.

THOS. H. PUGH,
Chairman.

House Bill No. 289,

A bill for an act to amend section 4466 of the Revised Code of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 69, nays 18, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Parkhill
Anderson, Grand F'rks	Halaas	Piper
Anderson, Bernt	Hallick	Pugh
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Hosford	Sorley of Grand Forks
Carter	Jensen	Sorlie of Traill
Church	Johnson of Pembina	Stavens
Collins	Johnson of Sargent	Steen
Connolly	Jones of Barnes	Storey
Crawford	Law	Streeter
Dibley	Martin of Billings	Swendseid
Duncan	Mathews	Thoreson
Evans	McDowall	Tofsrud
Flamer	Midgarden	Tufte
Freeman	Miller	Ueland
Ganssle	Moore	Wake
Garden	Morin	Walker
Gibbens	Nelson of Traill	Wedge
Grant	Oveson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burgum	Graham	Nelson of Steele
Buttz	Johnson of Ward	Putnam
Cunningham	Jones of Ransom	Stevens
Dean	Mockler	Watts
Elhard	Monek	Syvertson
Giedt	Murphy	Welford

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Peake	Sinclair
Blake	Plath	Shirley
Casey	Rose of Dickey	Treat
Chapman	Shannafelt	White
Martin of Morton		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 289 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Speaker:

Your steering committee to whom was referred the following bills, have had the same under consideration and recommend that they be placed upon their third reading and final passage in the order herein given:

Senate Bill No. 200,

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers, providing for its enforcement by the department of agriculture and labor.

Also,

Senate Bill No. 289,

A bill for an act to amend section 2231 of the Revised Codes of North Dakota for 1905, relating to abstractors of title—bonds to be given.

Also,

Senate Bill No. 102,

A bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or substitute therefor, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 254,

A bill for an act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing the penalty for the violation of its provisions.

Also,

Senate Bill No. 340,

A joint resolution.

Also,

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Also,

Senate Bill No. 280,

A bill for an act entitled, "An act to amend subdivision 3 of section 7225 of the Revised Codes of North Dakota, relating to appeals to the supreme court from orders made in certain cases."

Also,

Senate Bill No. 212,

A bill for an act to amend section 28 of the Revised Codes of North Dakota of 1905, relating to legislative officers and employees and their compensation.

Also,

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Also,

Senate Bill No. 294,

A bill for an act to amend and re-enact section 40 of the Revised Codes of 1905.

Also,

Senate Bill No. 229,

A bill for an act amending sections 1278 and 1279 of the Revised Codes of North Dakota, relating to duties of store keepers and expense lists of penitentiary.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 227,

A concurrent resolution amending the constitution of the state of North Dakota, relating to changing the name of the state reform school.

Also,

Senate Bill No. 177,

A bill for an act relating to the annual reports of life insurance companies.

Also,

Senate Bill No. 178,

A bill for an act prohibiting corporations or stock companies acting as agents or solicitors for life insurance companies.

Also,

Senate Bill No. 184,

A bill for an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.

Also,

Senate Bill No. 173,

A bill for an act relating to the salaries of officers and agents of life insurance companies.

Also,

Senate Bill No. 60,

A bill for an act providing for and regulating the election of directors of mutual life insurance companies.

Also,

Senate Bill No. 53,

A bill for an act relating to the provisions of life insurance policies.

Also,

Senate Bill No. 61,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Also,

Senate Bill No. 171,

A bill for an act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Also,

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

JOHN SORLEY,

Chairman.

Mr. J. A. Sorley moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Senate Bill No. 102,

A bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or substitute therefor, and providing a penalty for the violation thereof.

Was read the third time.

Mr. Stevens moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

And the further consideration of the bill was indefinitely postponed.

Mr. Stevens moved

That the vote by which Senate Bill No. 102 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to inform you that the Senate has agreed to the house request for a conference committee on House Bill No. 278, and the president has named as such conferees on the part of the senate, Messrs. LaMoure, Regan and Little.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 340,

A joint resolution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays 2, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Plath
Adams	Halaas	Pugh
Anderson, Grand F'rks	Hallick	Purdon
Anderson, Bernt	Hanawalt	Putnam
Anderson, O. P. N.	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Schlenker
Brodie	Hemmingsen	Simpson
Brotnov	Hosford	Sinclair
Burdick	Jensen	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	McDowall	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Dibley	Mockler	Treat
Duncan	Monek	Tufte
Elhard	Moore	Ueland
Evans	Morin	Wake
Flamer	Nelson of Steele	Walker
Freeman	Nelson of Traill	Watts
Ganssle	Oveson	Wedge
Garden	Parkhill	Welford
Gibbens	Peake	White
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Mathews	Shannafelt
Casey	Murphy	Shirley
Johnson of Pembina	Rose of Dickey	

Messrs. Giedt and Grant voted in the negative.

Mr. Speaker passed.

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 340 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The speaker called Mr. Burgum to the chair.

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 56, nays 34, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Freeman	Purdon
Anderson, Grand F'rks	Ganssle.	Putnam
Anderson, Bernt	Gibbens	Schlenker
Anderson, O. P. N.	Graham	Sorley of Grand Forks
Blegen	Halaas	Sorlie of Traill
Brodie	Hallick	Stavens
Brotnov	Hanson	Steen
Carter	Faugen	Storey
Chapman	Hemmingsen	Streeter
Church	Hosford	Syverson
Collins	Johnson of Pembina	Tofsrud
Connolly	Johnson of Ward	Treat
Crawford	Jones of Barnes	Tufte
Cunningham	Midgarden	Ueland
Dean	Mockler	Walker
Duncan	Monek	Wedge
Elhard	Nelson of Steele	Welford
Evans	Nelson of Traill	White
Flamer	Oveson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Jensen	Piper
Andrus	Johnson of Sargent	Pugh
Blake	Jones of Ransom	Restemayer
Burdick	Law	Rohs of Morton
Burgum	Martin of Morton	Simpson
Casey	Martin of Billings	Stevens
Dibley	Mathews	Swendseid
Garden	McDowall	Thoreson
Giedt	Miller	Wake
Grant	Moore	Watts
Griffith	Morin	Mr. Speaker
Hankinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buttz	Peake	Shannafelt
Hanawalt	Plath	Sinclair
Murphy	Rose of Dickey	Shirley
Parkhill		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 297 passed be reconsidered.

Which motion prevailed.

The speaker in the chair.

Mr. Burdick moved

That Senate Bill No. 297 be placed upon its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 7, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Resolved by the Senate of the State of North Dakota, the House Concurring:

That for the purchase, development and preservation of the Lincoln farm in the state of Kentucky, where our martyred president was born and spent his boyhood days, that the sum of twenty-five dollars is hereby appropriated and set aside out of any money in the treasury not otherwise appropriated, to be forwarded by the governor of this state to and for the use of the Lincoln Farm Association in the purchase, development and preservation of said farm as aforesaid; be it further

Resolved, That the legislative assembly of the state of North Dakota, for and on behalf of the people of said state, uniting in reverence and respect in memory of the Great Emancipator with all parts of our common and now undivided country, and with such men and leaders among the people as William H. Taft, Joseph W. Folk, Cardinal Gibbons, Henry Watterson and others, does hereby express its deepest sympathy with and cordial support of the fitting memorial to the nobleness, virtue and wise statesmanship of the world's greatest commoner, Abraham Lincoln, whose noble deeds, viewed in the light of calm reflection, have added unmeasured increase to the good there is in the world and have shed their light of undimmed virtue and humanitarian statesmanship on the entire world; Be it further

Resolved, That this resolution be immediately transmitted to the house for its concurrence and that the same be thereafter engrossed, signed by the governor, the president of the senate and the speaker of the house of representatives, and that it be forwarded to Clarence H. Mackay, treasurer of the Lincoln Farm Association, number seventy-four, Broadway, New York City, New York.

Which the senate has adopted and your concurrence therein is respectfully requested.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 297,

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 41, nays 53, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Freeman	Oveson
Anderson, Grand F'rks	Graham	Putnam
Anderson, Bernt	Halaas	Schlenker
Anderson, O. P. N.	Hallick	Steen
Blegen	Hanawalt	Storey
Brodie	Hanson	Syvertson
Brotnov	Hemmingsen	Tofsrud
Buttz	Hosford	Tufte
Carter	Johnson of Ward	Ueland
Chapman	Midgarden	Walker
Church	Mockler	Wedge
Collins	Monek	Welford
Duncan	Nelson of Steele	White
Evans	Nelson of Traill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Griffith	Piper
Andrus	Hankinson	Plath
Blake	Haugen	Pugh
Burdick	Jensen	Restemayer
Burgum	Johnson of Pembina	Rohs of Morton
Casey	Johnson of Sargent	Rose of Dickey
Connolly	Jones of Barnes	Simpson
Crawford	Jones of Ransom	Sorlie of Traill
Cunningham	Law	Stavens
Dean	Martin of Morton	Stevens
Dibley	Martin of Billings	Streeter
Elhard	Mathews	Swendseid
Flamer	McDowall	Thoreson
Ganssle	Miller	Treat
Garden	Moore	Wake
Gibbens	Morin	Watts
Giedt	Murphy	Mr. Speaker
Grant	Peake	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Parkhill	Shannafelt	Shirley
Purdon	Sinclair	Sorley of Grand Forks

Messrs. Shannafelt and Shirley being excused.

So the bill was lost.

Mr. Haugen moved

That the vote by which Senate Bill No. 297 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Also,

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Also,

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Also,

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Also,

House Bill No. 11,

A bill for an act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.

Also,

House Bill No. 34,

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Also,

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Also,

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for the assessment of their property and the taxation of the same.

Also,

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Also,

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to transmit herewith the following rule, which the senate has adopted, with the direction that the house be notified:

Upon a majority vote of the senate, the president shall refuse to sign any bill which may have passed the senate, and which the house shall have refused to return for further consideration after being properly requested so to do.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER.
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Mr. Ueland moved

That the house concur in the senate amendments to House Bill No. 26.

Roll call demanded.

The question being on the adoption of the amendments made by the senate.

The roll was called and there were ayes 55, nays 40, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hankinson	Rohs of Morton
Blake	Hanson	Rose of Dickey
Brodie	Jensen	Schlenker
Brotnov	Johnson of Pembina	Simpson
Buttz	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Storey
Connolly	Law	Streeter
Cunningham	Martin of Morton	Swendseid
Dibley	Martin of Billings	Syverson
Elhard	Mathews	Thoreson
Evans	Miller	Treat
Flamer	Mockler	Ueland
Garden	Monek	Wake
Giedt	Morin	Walker
Graham	Parkhill	Wedge
Halaas	Plath	Welford
Hallick	Putnam	Mr. Speaker
Hanawalt		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Ganssle	Oveson
Adams	Gibbens	Peake
Anderson, Bernt	Grant	Piper
Anderson, O. P. N.	Griffith	Pugh
Blegen	Haugen	Purdon
Burdick	Hemmingsen	Restemayer
Burgum	Hosford	Sorley of Grand Forks
Carter	McDowall	Sorlie of Traill
Church	Midgarden	Stavens
Collins	Moore	Tofsrud
Crawford	Murphy	Tufte
Dean	Nelson of Steele	Watts
Duncan	Nelson of Trail	White
Freeman		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Shannafelt	Shirley
Johnson of Sargent	Sinclair	

Messrs. Shannafelt and Shirley being excused.

So the amendments were adopted.

Mr. Ueland moved

That Senate Bill No. 26 be placed upon its third reading and final passage as amended.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Codes of 1905 relating to locating and building of bridges.

Which the senate has passed unchanged.

Also,

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Which the senate has amended as follows:

That on page 2, in line 21, of the printed bill, insert the following before the word "purchase:" "Purchasing building sites and."

That on page 2, in line 12, of the printed bill, insert the following after the first word "of:" "Purchasing building sites and."

That in line 1 of subdivision 3 of section 1 of the original bill insert the word "or" in place of the word "of" after the word "institution."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 53, nays 40, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Grand F'rks	Hankinson	Rose of Dickey
Blake	Hanson	Schlenker
Brodie	Jensen	Simpson
Brotnov	Johnson of Pembina	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Connolly	Law	Streeter
Cunningham	Martin of Morton	Swendseid
Dibley	Martin of Billings	Syverson
Elhard	Mathews	Thoreson
Evans	Miller	Treat
Flamer	Mockler	Ueland
Garden	Monek	Wake
Giedt	Morin	Walker
Graham	Parkhill	Wedge
Halaas	Piper	Welford
Hallick	Putnam	Mr. Speaker
Hanawalt	Rohs of Morton	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Freeman	Nelson of Traill
Adams	Ganssle	Oveson
Anderson, Bernt	Gibbens	Peake
Anderson, O. P. N.	Grant	Pugh
Blegen	Griffith	Purdon
Burdick	Haugen	Restemayer
Burgum	Hemmingsen	Sorley of Grand Forks
Buttz	Hosford	Sorlie of Traill
Carter	Jones of Ransom	Stavens
Church	Midgarden	Tofsrud
Collins	Moore	Tufte
Crawford	Murphy	Watts
Dean	Nelson of Steele	White
Duncan		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Plath	Sinclair
Johnson of Sargent	Shannafelt	Shirley
McDowall		

Messrs. Shannafelt and Shirley being excused.

So the bill passed and the title as amended was agreed to.

Mr. Ueland moved

That the vote by which House Bill No. 26 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign:

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and tele-

phone companies and providing for the assessment of their property and the taxation of the same.

Also,

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Also,

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Also,

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Also,

House Bill No. 11,

A bill for an act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.

Also,

House Bill No. 300,

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Also,

House Bill No. 34,

A bill for an act to amend section 4302 of the Revised Codes of North Dakota, for 1905, relating to stopping of trains at county seats.

Also,

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Also,

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Also,

House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Also,

Senate Bill No. 27,

A bill for an act to amend section 155 of chapter 4 of the Political Code of the state of North Dakota, and all acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the schools, agricultural college, school for the deaf and dumb, normal

schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Also,

Senate Bill No. 56,

A bill for an act to amend section 242, chapter IV of the Revised Codes of 1905, relating to appropriations to the state historical society of North Dakota.

Also,

Senate Bill No. 66,

A bill for an act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and providing for the care, treatment, parole and release of such persons, and prescribing the duties of officials in connection therewith.

Also,

Senate Bill No. 189,

A bill for an act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.

Also,

Senate Bill No. 235,

A bill for an act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Also,

Senate Bill No. 247,

A bill for an act to amend section 7598 of the Code of 1905, relating to the law of eminent domain.

Also,

Senate Bill No. 276,

A bill for an act relating to liability of common carriers to their employes.

Also,

Senate Bill No. 286,

A bill for an act to authorize holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts, and obtain new contracts for the land less the rights of way required for such railroad, and providing for the payment to the state of the balance of the purchase price of the land required for such rights of way and issuance of deed therefor.

Also,

Senate Bill No. 293,

A bill for an act to amend section 394 of chapter 5 of the Political Code of the Revised Codes of 1905 for North Dakota, relative to verified claims against the state.

Also,

Senate Bill No. 334,

Also,

Senate Bill No. 52,

A bill for an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

And the speaker signed the same in the presence of the house.

Mr. Burgum offered the following resolution and moved its adoption:

Resolved, That we extend to our respected representative, Hon. T. E. Tuft, our heartfelt sympathy in the sad news, calling him home on account of the death of a member of his family; be it further

Resolved, That we extend to him our thanks for the fair, fearless and manly stand that he has taken on all matters that have come up before this house.

Which motion prevailed and

The resolution was adopted.

Mr. Moore offered the following resolution and moved its adoption:

WHEREAS, The Legislative Manual contains much useful information, therefore, be it

Resolved, That the secretary of state be authorized to send ten copies of same to each member and five copies to the chief clerk and one copy to each officer at chief clerk's desk, including the chief enrolling and engrossing and journal clerks of this house for distribution.

Which motion prevailed, and

The resolution was adopted.

O. J. Sorlie offered the following resolution and moved its adoption:

Resolved, That the speaker be directed to appoint the chief clerk and two assistant clerks, to correct the journal of the 60th day, and to complete the written journal, and to compare the journal of the session with the written journal, and that they be allowed \$6.00 per day each for the time necessary to do the work. The speaker and the chief clerk are hereby authorized and directed to sign the necessary vouchers for the services.

Which motion prevailed, and

The resolution was adopted.

Mr. Sorlie of Traill offered the following resolution and moved its adoption:

Be it Resolved by the House of Representatives of the Tenth Legislative Assembly:

That George Osgood, of the mailing department, be employed by the secretary of state for three days after the close of the session to complete the mailing of journals at his present compensation, and the speaker and chief clerk of the house are authorized to sign a voucher for his services.

Which motion prevailed, and

The resolution was adopted.

The committee on enrollment made the following report:

Mr Speaker:

Your committee on enrollment respectfully report that:
House Bill No. 248,

A bill for an act to amend section 5678 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1905, (being section 4230 of the Civil Code of the Revised Codes of the state of North Dakota, edition of 1895) and re-enact the same as amended.

Also,

House Bill No. 168,

A bill for an act to provide for the lighting of depot platforms.

Also,

House Bill No. 18.

A bill for an act entitled an act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Also,

House Bill No. 132,

A bill for an act to regulate the manufacture of dairy products and imitations and substitutes therefor, prescribing penalties for violations; to create the office of assistant dairy commissioner; prescribing his duties and fixing his salary; and to repeal sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the Revised Codes of 1905.

Also,

House Bill No. 275.

A bill for an act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Also,

House Bill No. 40,

A bill for an act to amend section 6173 of the Revised Codes of 1905 of the state of North Dakota.

Also,

House bill No. 14,

A bill for an act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.

Also,

House Bill No. 152,

A bill for an act entitled "An act to amend section 469 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of courts in the First judicial district."

Also.

House Bill No. 175,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 59,

A bill for an act to provide for the satisfaction of liens and mortgages upon the property before the date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Also,

House Bill No. 84,

A bill for an act to prevent the adulteration, misbranding, and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation hereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota experiment station with the duty thereof, and charging the state's attorney with the enforcement hereof.

Also,

House Bill No. 108,

A bill for an act amending section 10088 or the Revised Codes of 1905, relating to criminal procedure.

Also,

House Bill No. 211,

A bill for an act to provide for the payment of premiums and awards by the North Dakota State Poultry Association

for the purpose of promoting and increasing the poultry industry in the state of North Dakota.

Were delivered to the governor for his approval at the hour of 11:30 o'clock a. m., March 8, 1907.

THOS. H. PUGH,
Chairman.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined
House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Also,

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Also,

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Also,

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

Also,

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3,

and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Also,

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A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

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Also,

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North

Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Also,

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

And the speaker signed the same in the presence of the house.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee appointed to inquire into the present condition of and transfer of the northwest quarter of section thirty-six in township one hundred forty-eight north of range fifty-one west (nw $\frac{1}{4}$ 36-148-51), Traill county, North Dakota, by the board of university and school lands to the Great Northern Railway Company, beg leave to report as follows:

We find that application was made for this purchase on May 15, 1901, by the agent of the Great Northern Railway Company; that the application was answered by the commissioners of public lands in a letter dated May 16, 1901, which is as follows:

"R. A. Wilkinson,

Right of Way and Tax Commissioner, St. Paul:

DEAR SIR: We are in receipt of your favor of the 15th inst., in which you state that your company desires to acquire gravel pit in the northwest quarter of section 36, township 148, range 51, Traill county. Replying thereto

will say, that this land can only be purchased as provided by section 158 of the constitution of the state of North Dakota.

Very truly yours,

D. J. LAXDAL, Commissioner."

Bismarck, N. D., May 16, 1901.

This said letter is hereto attached together with all other correspondence on file in relation to this transaction.

That on the 10th day of January, 1902, the transfer was consummated by the giving of what purported to be a deed for said land to said railway company for a consideration of \$4,278.75, said deed being signed by a full membership of the said board of university and school lands, the above transfer being authorized by a majority of said board at a special meeting held Tuesday, December 3, 1901. A copy of said minutes and deed are hereto attached.

We, your committee, find that the transfer was unauthorized by law and against the provisions of section 158 of the constitution, which provides the method of sale of school land.

Second: Your committee finds that the above land was situated about one-half mile from the right of way of the Great Northern railroad tracks; that said 160 acres consists of about 80 acres of superior farming land and a valuable gravel pit of about 80 acres; that the value of said 80 acres of farm land was reasonably worth \$35.00 per acre or \$2,800.00; that the remaining 80 acres was reasonably worth to said railroad company for gravel pit purposes \$100.00 per acre, or \$8,000.00; that the pretended deed also conveyed 8.71 acres for a right of way across the northeast quarter of section thirty-six (36) for right of way purposes to the gravel pit on said section; that the 6.71 acres so deeded was reasonably worth \$35.00 per acre or \$307.00. We find that the reasonable value of the land so irregularly conveyed was \$11,107.00, and it was conveyed for \$6,828.25 less than the reasonable value thereof.

We further find that as early as ten years prior to the application for purchase of said land that the said Great Northern Railway Company was a trespasser on said land, viz: That it had caused to be constructed a spur track from its main lines to said gravel pit and that from time to time thereafter without any semblance of legal or moral right it has caused the gravel on said land to be removed and converted to its own use approximately one-half of the gravel pit in extent, viz: 40 acres has been removed;

that one-half of said 40 acres approximately, or 20 acres approximately, was removed prior to the date of application to purchase.

Further, that that portion of the land bearing gravel is now worthless to the state for the reason that said railway company has caused it to be so cut up and broken as to be useless for any other purpose.

We find: First, that the consideration accepted was \$6,-828.25 less than the reasonable value of said land.

Second: That a transfer was made in defiance of the constitution of the state.

Third: That the Great Northern Railway Company, beginning ten years prior to the application to purchase said land and continuing thereafter, did without warrant or any legal right trespass upon said lands and cause to be removed the gravel from said lands and take it for its own use and benefit.

On the above findings of fact, we, your committee, offer the following resolution and move its adoption:

That the attorney general of the state be authorized and requested to institute an action against said railway company to cancel the transfer unlawfully made and to recover the value of the waste by said railway company committed on the northwest quarter of section 36, township 148, range 51, and legal interest thereon.

O. J. SORLIE,
S. N. PUTNAM.

Mr. Sorlie moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

St. Paul, Minn., May 15th, 1901.

Hon. D. J. Laxdal,

Commissioner of Public Lands, Bismarck, N. D.

DEAR SIR: This Company desires to acquire a gravel pit in the NW $\frac{1}{4}$ of Section 36, Town. 148, Range 51, near Buxton, which I understand is owned by the State. If this is state land, kindly say whether or no an application to purchase from the Company, would be entertained, and at what price it could be sold.

I suppose that as the Company needs the land for railroad purposes, it could condemn the same, if it could not be sold direct, and in case it is necessary to condemn it, we might agree on the price so that there would be no contest on that score.

An early reply will oblige.

Yours truly,

R. A. WILKINSON,
Right of Way & Tax Commr.

*R. A. Wilkinson, Esq.,
Right of Way and Tax Comm'r, G. N. Ry.
St. Paul, Minn.*

DEAR SIR: We are in receipt of your favor of the 15th instant in which you state that your Company desire to acquire a gravel pit in the Northwest Quarter of Section 36, Twp. 148, Rge. 51, Traill County.

Replying there to will say that this land can only be purchased as provided by section 158 of the Constitution of the State of North Dakota.

Very truly yours,

D. J. LAXDAL,
Commissioner.

*Hon. D. J. Laxdal,
Commissioner of Public Lands,
Bismarck, N. D.*

DEAR SIR: Your letter in reference to the Northwest Quarter of Section 36, Town 148, Range 51, near Buxton, is received.

You say this land can only be sold in the manner provided by the Constitution. I had some idea that the Railroad Company could condemn the land for gravel purposes, the State could sell it at private sale, but it seems that is impracticable. Could you arrange to advertise this quarter section of land for sale? If so, the Company would bid the appraised price, and if other bidders appeared, of course the highest bidder would take it. If this could be advertised, how long would it be, before it could be put up for sale?

Kindly reply by return mail, and oblige,

Yours truly,

R. A. WILKINSON,
Right of Way & Tax Commr.

*R. A. Wilkinson, Esq.,
Right of Way and Tax Comm'r.,
Gt. Northern R. R., St. Paul, Minn.*

DEAR SIR: We are in receipt of your favor of the 27th instant regarding the purchase of the NW¼ of Section 36-148-51, Traill County.

An appraisal of all lands in Traill County has been ordered with a view to offering them for sale about October 1st next. This appraisal will be returned to us within the next two weeks. It will then require sixty days' advertising before sale can be made. Would it not be satisfactory to you if this land was offered for sale about October 1st next? We would be pleased to hear from you.

Very truly yours,

D. J. LAXDAL,
Commissioner.

*R. A. Wilkinson, Esq.,
Right of Way and Tax Comm'r G. N. Ry.,
St. Paul, Minn.*

DEAR SIR: At a meeting of the Board of University and School Lands held yesterday I brought up the matter of the sale to you of the Northwest quarter of Section 36-148-51 being the gravel pit near Buxton, North Dakota, and the Board after considering the matter at some length came to the conclusion that they would have authority to sell to you outright said tract of land. This I thought was what you wished in the matter and preferred to having the land offered in the regular manner and sold upon the twenty year plan. I was instructed to communicate with you and to obtain from you an offer for such land upon the former plan of sale. If you will therefore communicate with me in this matter and let me know your best offer for the land the Board will take action on it at its next meeting, or on the other hand if you prefer to have the land put up and sold at auction on the

twenty year plan of payment, please let me know and I will so inform the Board. This matter has dragged along so long for the reason that a full attendance has not been possible and really no meeting has been held for a long time

Yours truly,

D. J. LAXDAL,
Commissioner.
St. Paul, Minn., Oct. 30th, 1901.

Hon. D. J. Laxdal,

*Commissioner of Public Lands,
Bismarck, N. D.*

DEAR SIR: Your letter of October 25th, in reference to the NW¼ of Section 36-148-51, near Buxton, is received.

This Company would prefer to buy the land outright and pay cash for it at the time of the sale. I would prefer that you would make the price on this land, but will say that the Company is willing to pay \$25 per acre for the land and the right of way needed. If this offer is satisfactory, we will pay the money as soon as notified.

Yours truly,

R. A. WILKINSON,
Right of Way and Tax Commr.
December 3rd, 1901.

*R. A. Wilkinson, Esq.,
St. Paul, Minn.*

DEAR SIR: At a meeting of the Board of University and School Lands held yesterday the matter of purchase of the NW¼ of Sec. 36-148-51 and your offer thereon of \$25.00 per acre was accepted. Kindly draw a deed for the members of the Board to sign and send to us, together with draft for \$4,000 payable to order of D. H. McMillan, State Treasurer, and remittance of \$6.00 payable to the undersigned being fees charged for recording deed in this office.

Very truly yours,

D. J. LAXDAL,
Commissioner.

MINUTES OF THE BOARD OF U. & S. LANDS, DEC. 3, 1901.

Board met in special session, Tuesday, Dec. 3, 1901, in the office of the Land Commissioner, all members of the Board having been notified of the date and purposes of the meeting.

Present: Gov. Frank White, Auditor A. N. Carlblom and Sec. of State E. F. Porter, Gov. White presiding.

Minutes of regular meeting of Sept. 26 and of adjourned meetings of Oct. 10 and Oct. 24 were read and approved.

* * * * *

Voted that the application of Great Northern Railway Co. to purchase for cash for railroad purposes the N. W. ¼ of Sec. 36, Tp. 148, R. 51, and as much more land of said Sec. 36 as necessary for right of way, be granted. All voting "aye."

Board took a recess to meet again at 10 o'clock a. m. Wednesday, Dec. 4. Board reassembled at 10 o'clock a. m., Wednesday, Dec. 4, same members present.

* * * * *

Attest:

J. M. DEVINE,
Secretary.

FRANK WHITE,
President of Board.

"COPY"

Bismarck, December 14th, 1901.

*R. A. Wilkinson, Esq.,**Right of Way and Tax Comm'r G. N. Ry.,
St. Paul, Minn.*

DEAR SIR: We are in receipt of your favor of the 11th instant enclosing deeds for execution, and also draft for \$4039.50 payable to State Treasurer and draft for \$6.00 payable to the undersigned. This remittance is to cover the purchase price at \$25.00 per acre for the NW $\frac{1}{4}$ of Sec. 36-148-51, and right of way over and across the NE $\frac{1}{4}$ 1.58 acres.

According to figures as shown by your plat you take for this right of way 2.83 acres and as we figure it 3.33 acres.

Will you kindly have this figured over. A member of the Board of U. & S. Lands requested me to inquire of you if the Company would not be willing to purchase the land which lies in the wye and also if your spur track could not be run on the quarter line, that is along the north quarter line of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$. As it is now the spur and the wye cut up this quarter very badly leaving a few acres on the south side of the spur track also between the wye track.

I return the deeds to you for correction, and would also like to hear from you at once as to whether your company will purchase the land as explained above.

Yours truly,

D. J. LAXDAL,
Commissioner.
Per M.

Bismarck, N. D., December 21st, 1901.

*R. A. Wilkinson, Esq.,
St. Paul, Minn.*

DEAR SIR: We are in receipt of your favor of the 18th instant enclosing deeds for execution, and per your request I enclose you herewith voucher \$4039.50.

Yours truly,

D. J. LAXDAL,
Commissioner.
M.

Bismarck, N. D., Jan'y. 15th, 1902.

*R. A. Wilkinson, Esq.,
St. Paul, Minn.*

DEAR SIR: Herewith find deed from State of North Dakota to St. Paul, Minneapolis & Manitoba Ry. Company of certain lands in Sec. 36 Twp. 148 Rge. 51 Traill County. Trusting that you will find same satisfactory, I remain

Yours truly,

D. J. LAXDAL,
Commissioner.

DEED:

Recorded in Book "1" Misc. Page 177 Land Department records.
Dated January 10, 1902.

Grantor: State of North Dakota.

Grantee: Saint Paul, Minneapolis & Manitoba Railway Company.

Consideration \$4278.75.

Conveys: NW $\frac{1}{4}$ 36-148-51 containing 160 acres. Also all that part of S $\frac{1}{2}$ NE $\frac{1}{4}$ said section which lies south and east of a line drawn parallel with and distant 25 feet northerly and northwesterly from the center line of a spur track from the railway of said company as said spur

track is now located, containing 8.71 acres. Also all that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said section which lies and is situated northeasterly of a line drawn parallel with and distant 25 feet southwesterly from the center line of the wye track connecting said above described spur track with the main track of the railway of said company, and containing 2.44 acres.

Deed signed by

FRANK WHITE, Governor.

Attest: E. F. PORTER, Secretary of State.

(STATE SEAL)

FRANK, WHITE, Governor.

E. F. PORTER.

A. N. CARLBLOM

O. D. COMSTOCK

J. M. DEVINE

Members of the Board of University and School Lands.

Attest: J. M. DEVINE,

Secretary of the Board of University and School Lands.

Acknowledged January 11th, 1902, before John F. Philbrick,
(Notarial Seal) Notary Public.

PETITIONS AND COMMUNICATIONS.

To the Honorable Speaker and the Members of the House of Representatives of the Tenth Legislative Assembly:

The undersigned newspaper correspondents who have represented their respective papers in the chamber of the house of said assembly desire in this manner to express to the speaker and to each individual member thereof, and to P. D. Norton, chief clerk, W. D. Austin and Otto Sougstad, assistant chief clerks, Oscar J. Quamme, bill clerk, Leon Duroctor and J. I. Roop, assistant clerks, and Miss Mabel Thorburn stenographer, our thanks for the uniform courtesies and favors extended to us as newspaper correspondents by the speaker, members and officers aforesaid during the session.

Respectfully submitted,

CHARLES WILSON,

Fargo Forum.

W. L. DUDLEY,

Grand Forks Herald.

GEORGE DAVIS,

Grand Forks Evening Times.

Mr. Streeter moved

That the resolutions be adopted

Which motion prevailed, and

The resolutions were adopted.

Mr. Sorley of Grand Forks offered the following resolution and moved its adoption:

Resolved by this House, that we earnestly urge the members of the conference committee on reapportionment to use every effort to harmonize the differences between the Senate and House on that matter, and that they use every effort to agree upon an equitable bill.

Which motion prevailed, and
The resolution was adopted.

Mr. Stevens moved
That the house do now adjourn.
Which motion prevailed, and
The house adjourned.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call dispensed with.

Messrs. Shannafelt, Shirley and Tufte were excused.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 208,

A bill for an act entitled an act to amend section 1903 of the Revised Codes of 1905, relating to when stock may run at large.

Also,

House Bill No. 323,

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Also,

House Bill No. 115,

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Which the senate has indefinitely postponed.

Also,

House Bill No. 314,

A bill for an act amending section 605 of the Revised Codes of 1905, relating to the qualifications of electors.

Which the senate has failed to pass.

Also,

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Which the senate has amended as follows:

That all of sections 7, 8 and 9 of the printed bill be stricken out.

And passed as amended.

Also,

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Which the senate has amended as follows:

Add section 2: whereas there is now no provision of law creating the office of deputy land commissioner, an emergency is deemed to exist; therefore, this act shall be in force from and after its passage and approval.

And passed as amended.

Also,

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Which the senate has amended as follows:

That all of section 1 be stricken out and the following be inserted as section 1 in lieu thereof:

"SECTION 1. Amendment.] That section 429 of chapter 6 of the political code of 1905 be amended and re-enacted to read as follows:

"Sec 429. Vacancies in Board of county Commissioners, How Filled.] When a vacancy occurs in the board of county commissioners it shall be the duty of the remaining members of the board, with the county judge and auditor, immediately to appoint some suitable person to fill such vacancy from the district in which such vacancy occurred. In case a majority of such officers fail to agree upon a person to fill such vacancy the county treasurer shall be called in and act as an additional member of such board, to fill such vacancy. The appointee to hold office until his successor is elected at the next general election and qualified."

And passed as amended.

Also,

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Which the senate has amended as follows:

In line 21 of printed bill after the word "article" add the following:
"Provided this act shall not apply to school districts in incorporated cities or villages."

And passed as amended.

Also,

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Also,

House Bill No. 220,

A bill for an act amending sections 5 and 6 of the irrigation code of this state, approved March 1, 1905, and making the state engineer ex officio coal mine inspector of the

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Also,

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an em-

ployee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Also,

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which the change of venue is obtained.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Also,

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Also,

House Bill No. 292,

A bill for an act authorizing the board of county commissioners to appoint a board of visitors whose duty it shall be to visit county asylums or poor farms and make report thereon.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, las-

civious or obscene language over telephones in this state.
Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-seventh day have carefully examined the same and recommend that the same be corrected as follows:

Strike out last two lines on page 69 and first three lines on page 70.

On page 4 of the Journal of the 57th day after recess, line 11, change figures "283" to "183," and correct title of bill.

Also,

Your committee on revision and correction of the journal of the fifty-eighth day have carefully examined the same and recommend that the same be corrected as follows:

Page 25, line 5, strike out word "and."

Page 57, strike out word "for" in line 4 from foot of page.

Page 72, line 13, strike out words "Present and not voting," and insert in lieu thereof the word "passed."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Stevens moved

That the house do concur in the senate resolution relating to the North Dakota Geological Survey.

Which motion prevailed.

Mr. Stevens moved that the house do concur in the senate resolution relating to waterways, and that the following statistics be printed in the journal.

Which motion prevailed, and

The resolution was adopted.

IMPROVING OUR WATERWAYS.

Connected with this drainage work, and in some sections of the country really a part of it, is the improvement of our rivers and harbors. Beggarly is the only word to describe the treatment by the national government of American rivers and harbors. The total amount expended in this cause from 1820 to 1906 was \$470,000,000, the average amount for the last ten years being less than \$20,000,000 annually. Contrast this with what other countries have done. Holland, with 2,000 miles of navigable waterways, against over 43,000 miles in the United States, not including any streams of the seaboard, has expended about \$1,500,000,000 upon this work while France, with 4,000 miles of navigable waters, or about one-tenth of what we have, has expended over \$1,000,000, or more than twice as much as the United States. It is said that there has been expended upon the harbor of Liverpool alone, \$200,000,000. France has spent upon the harbor of Havre \$35,000,000, and other countries have kept pace, realizing the importance of rivers and harbors not only in the development of business, but in the regulation of freight rates. Even Mexico and South America have in many cases far exceeded us in the broadness with which they have regarded river and harbor improvements. We are only beginning to grasp what it will mean to properly improve our rivers.

Mr. Streeter moved

That the house do concur in the senate amendments to House Bill No. 49.

Which motion prevailed, and

And the amendments were adopted.

Mr. Streeter moved

That House Bill No. 49 be placed upon its third reading and final passage as amended.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 20,

A bill for an act to amend section 7459 of the Revised Codes for 1905, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Also,

House Bill No. 154,

A bill for an act to amend section 1508 of the Revised Codes of 1905, relating to the assessment of bank stocks.

Also,

House Bill No. 21,

A bill for an act to amend section 5541 of the revised codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Also,

House Bill No. 142,

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

Also,

House Bill No. 25,

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state and providing penalty therefor.

Also,

House Bill No. 76,

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Also,

House Bill No. 302,

A bill for an act to repeal section 3013 of the Revised Codes of North Dakota for the year 1905, relating to bridge funds.

Also,

House Bill No. 41,

A bill for an act providing for the selection of candidates for election by popular vote including selection of member of the national committee and relating to their nomination and the perpetuation of political parties.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Streeter introduced the following resolution and moved its adoption:

Resolved, that the sum of \$2 per day be allowed to Henry Tatley for the use of each committee room for committee purposes during the tenth legislative session, the said committees using two of Mr. Tatley's rooms.

Which motion prevailed, and

The resolution was adopted.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Also,

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Also,

House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston in Williams county, providing for its management, and making an appropriation therefor.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380 of the Revised Codes of 1905 relating to locating and building of bridges.

Also,

House Bill No. 7,

operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Also,

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Also,

House Bill No. 54,

A bill for an act amending section 2439 of the Revised Codes of 1905, relating to county funds.

Also,
House Bill No. 176,
A bill for an act to amend section 9929 of the Revised
Codes of the state of North Dakota.
And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved
That the report be adopted.
Which motion prevailed, and
The report of the committee was adopted.
House Bill No. 49,
A bill for an act to amend section 429 of chapter 6 of the
Political Code of 1905, relating to vacancies in the board
of county commissioners.

Was read the third time.

The question being on the final passage of the bill as
amended by the senate.

The roll was called and there were ayes 93, nays 1, ab-
sent and not voting 6.

Those who voted in the affirmative were:

Aaker	Giedt	Oveson
Adams	Graham	Parkhill
Anderson, Grand F'rks	Grant	Peake
Anderson, Bernt	Griffith	Piper
Anderson, O. P. N.	Halaas	Plath
Andrus	Hallick	Pugh
Blake	Hanawalt	Purdon
Blegen	Hanson	Putnam
Brodie	Haugen	Restemayer
Brotnov	Hemmingsen	Rohs of Morton
Burdick	Hosford	Rose of Dickey
Burgum	Jensen	Schlenker
Buttz	Johnson of Pembina	Simpson
Carter	Johnson of Sargent	Sorley of Grand Forks
Casey	Johnson of Ward	Sorlie of Traill
Chapman	Jones of Parnes	Stavens
Church	Jones of Ransom	Steen
Collins	Law	Stevens
Connolly	Martin of Morton	Storey
Crawford	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dean	McDowall	Syvertson
Dibley	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Ganssle	Murphy	Welford
Garden	Nelson of Steele	White
Gibbens	Nelson of Traill	Mr. Speaker

Absent and not voting:

Messrs.—

Hankinson
Shannafelt

Messrs.—

Shirley
Sinclair

Messrs.—

Tufte
Wedge

Mr. Watts voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 49 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the vote by which Senate Bill No. 58 passed be reconsidered.

Which motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your special committee to investigate the number and actual services performed by the employes of the house and as to the legality of their appointment, appointed by you on the 7th day of March, 1907, pursuant to a communication from the governor, beg leave to report, that as stated in the governor's communication, there is a conflict in the laws with reference to the selection of all employes other than those specified in section 28 of the 1905 Code to be elected. Such section does not provide for stenographers and committee clerks, but notwithstanding this fact the experience of the members of the legislature for a number of terms has clearly demonstrated the necessity for such employes in order to do the work of the legislature expeditiously and well.

That your committee had an interview with the governor and were assured that he had no desire to prevent the payment for services actually performed by any individual, but could not see his way clear to allow vouchers to be issued for services not provided for by the statute. That your committee was further advised by the governor that his attention was yesterday for the first time brought to the conflict in the laws and if any legal means could be found by which those performing services for the Tenth Legislative Assembly not provided for by statute can be paid he will gladly consent. Your committee upon investi-

gation find that all the clerks provided for in resolutions heretofore passed by the house have been actually employed either as stenographers, desk, mailing or bill room clerks. Your committee is further informed by the chief clerk of the house that all of the persons upon the pay roll of the house have been required to report daily and those failing to put in appearance were refused credit for the time absent.

Your committee further finds upon investigation that the number of employes employed by the house of the Tenth legislative assembly is far less than those employed by the house of the ninth legislative assembly, and when the fact is taken into consideration that such persons are only employed for a period of sixty days and are largely taken from persons who have no other permanent employment, we think that the work has been well done. We find that the house employed during the legislative session of 1905 86 employes and were paid an aggregate amount of \$19,594 and the house of 1907 has 67 employes and will have paid for the full session \$13,192, thus showing a saving of \$6,402 over the house of the ninth legislative assembly. We further find that the senate of the tenth legislative assembly has 82 employes and will have paid for the full session \$17,540, excess over the employes of the house for this session of \$4,348. Thus it would appear in a comparison of the senate with 40 members and the house with 100 members and the additional work necessarily required that we of the house have made a fair record for economy during this session.

Your committee would recommend that Senate Bill No. 212 be passed after being amended so as to provide for payment of all employes of the tenth legislative assembly having performed the actual services for which they were appointed. You will find attached hereto a list of house employes with the date of their appointment and the amount to be paid for the session.

Respectfully submitted,

TOBIAS D. CASEY,
L. A. UELAND,
J. M. ANDERSON,
J. A. SORLEY,
AMASA P. PEAKE,

Committee.

Mr. Casey moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

HOUSE EMPLOYEES.

NAME	Address	Date	No. of Dys	POSITION	Amount
W. D. Austin.....	Fargo.....	Jan. 8....	60	Assistant chief clerk...	\$ 300.00
T. G. Anderson.....	Sherbrook	Jan. 8....	60	Journal clerk.....	300.00
Harry Beardsley.....	Bismarck..	Jan. 8....	60	Page.....	120.00
H. J. Bjornson.....	Dwight....	Jan. 16... 52	52	Mailing clerk.....	208.00
O. N. Brekke.....	Kindred....	Jan. 16... 52	52	Committee clerk.....	208.00
L. Budlong.....	Bismarck..	Jan. 8....	60	Page.....	120.00
Fred Carlson.....	Munich....	Feb. 17... 19	19	Clerk in charge pages..	76.00
Florence Connolly...	Williston..	Jan. 16... 52	52	Stenographer.....	260.00
Laura Connors.....	Bismarck..	Jan. 8....	60	Stenographer.....	300.00
J. Cox.....	Bismarck..	Jan. 24... 44	44	Page.....	88.00
Mrs. W. F. Cushing...	Bismarck..	Jan. 16... 52	52	Stenographer.....	260.00
W. D. Dopking.....	Flasher....	Jan. 8....	60	Cloak room attendant..	180.00
Leon Durocher.....	G'd Forks..	Jan. 15... 53	53	Clerk.....	212.00
M. A. Edberg.....	Bismarck..	Feb. 7.... 30	30	Janitor.....	90.00
Geo. Fisher.....	Langdon... 60	Jan. 8....	60	Janitor.....	180.00
Hans Fossor.....	Rugby.....	Jan. 8....	60	Postmaster.....	240.00
J. L. Griffith.....	Osnabrook	Feb. 28... 9	9	Clerk.....	36.00
A. Greenfield.....	Fessenden..	Jan. 15... 53	53	Ass't sargent-at-arms..	212.00
M. Gulickson.....	Grafton....	Jan. 8....	60	Chief Eng. and Enr. Clk	300.00
T. J. Hampton.....	Wheatland	Jan. 15... 53	53	Assistant messenger...	212.00
R. T. Healy.....	Valley City	Jan. 16... 52	52	Committee clerk.....	208.00
Wm. Hennessy.....	Reynolds...	Jan. 8....	60	Ass't journal clerk....	300.00
John Herman.....	Lidgerw'd..	Jan. 28... 40	40	Janitor.....	160.00
O. K. Hovel.....	Buxton.....	Jan. 8....	60	Sargent-at-arms.....	300.00
C. Irons.....	Carrington	Feb. 8.... 28	28	Assistant postmaster...	112.00
Fred James.....	Mandan....	Jan. 8....	60	Page.....	120.00
E. L. Jones.....	Grafton....	Jan. 8....	60	Bill room clerk.....	240.00
H. Kibbler.....	C valier....	Jan. 16... 52	52	Committee clerk.....	208.00
O. H. Killand.....	Mandan....	Feb. 25... 12	12	Committee clerk.....	48.00
Ole Kinneberg.....	Brinsmade	Jan. 8....	60	Cloak room attendant..	180.00
Hans Krogh.....	Portland... 52	Jan. 16... 52	52	Committee clerk.....	208.00
Fern Lincoln.....	Fargo.....	Jan. 9.... 59	59	Stenographer.....	295.00
Mary Lincoln.....	Fargo.....	Jan. 16... 52	52	Stenographer.....	260.00
D. Maddock.....	Maddock... 60	Jan. 8....	60	Doorkeeper.....	240.00
C. A. Mcann.....	G'd Forks..	Jan. 31... 37	37	Committee clerk.....	148.00
F. A. McDonald.....	Milton.....	Jan. 8....	60	Doorkeeper.....	240.00
Ed. K. Mason.....	Dazey.....	Jan. 8....	60	Clerk judiciary Com...	300.00
A. Michelson.....	Bismarck..	Jan. 8....	60	Page.....	120.00
P. D. Norton.....	Dev's Lake	Jan. 8....	60	Chief clerk.....	360.00
S. A. Olsness.....	Cheyenne...	Jan. 16... 52	52	Committee clerk.....	208.00
Geo. Osgood.....	Osgood....	Jan. 15... 53	53	Ass't bill room clerk...	212.00
F. E. Packard.....	Valley City	Jan. 16... 52	52	Committee clerk.....	208.00
J. D. Parso s.....	Bathgave...	Jan. 16... 52	52	Committee clerk.....	208.00
R. J. Persy.....	Argusville..	Jan. 8....	60	Messenger.....	240.00
Mabel Peterson.....	Bismarck..	Jan. 23... 44	44	Clerk.....	176.00
O. J. Quame.....	Aneta.....	Jan. 8....	60	Bill clerk.....	300.00
T. Radcliffe.....	Leonard... 60	Jan. 8....	60	Ass't bill room clerk...	240.00
A. D. Rainey.....	Judd.....	Jan. 8....	60	Watchman.....	240.00
Olaf Roe.....	Kathryn... 52	Jan. 16... 52	52	Committee clerk.....	208.00
J. I. Roop.....	Hazleton... 37	Jan. 31... 37	37	Committee clerk.....	148.00
H. Seimling.....	Bismarck..	Jan. 8....	60	Page.....	120.00
L. Schaecker.....	Bismarck..	Jan. 8....	60	Page.....	120.00
E. C. Smith.....	Steele.....	Jan. 15... 53	53	Committee clerk.....	212.00
Mrs. E. E. Smith.....	Williston..	Feb. 8.... 28	28	Stenographer.....	140.00
J. L. Smith.....	Leonard... 60	Jan. 8....	60	Janitor.....	180.00
J. Sonderall.....	Grafton....	Jan. 16... 52	52	Committee clerk.....	208.00
Otto Saugstad.....	North'ood.. 60	Jan. 8....	60	Ass't chief clerk.....	300.00
Rev. Stanton.....	Bismarck..	Jan. 8....	80	Chaplain.....	180.00
Joel Stebbins.....	Bismarck..	Jan. 8....	60	Page.....	120.00
E. Tessier.....	Wild Rice.. 44	Jan. 24... 44	44	Mailing clerk.....	176.00
Mabel Thoburn.....	Souris....	Jan. 8....	60	House stenographer...	300.00
Vivian Turner.....	Bookstone.. 52	Jan. 16... 52	52	Bookkeeper.....	208.00
Tr. Twichell.....	Mapleton... 60	Jan. 8....	60	Speaker.....	120.00
J. A. Warner.....	Dickey.....	Jan. 16... 52	52	V. Clerk.....	208.00
J. D. Wakeman.....	Bismarck..	Jan. 24... 44	44	Janitor.....	132.00
Mrs. I. M. Wilson.....	Hankinson	Feb. 8.... 28	28	Committee clerk.....	112.00
H. Bogstad.....	Hankinson	Jan. 16... 5	5	Committee clerk.....	20.00

Total..... \$ 13,193.00

Senate Bill No. 212,

A bill for an act to amend section 28 of the Revised Code of North Dakota of 1905, relating to legislative officers and employees and their compensation.

Was read the third time.

Mr. Casey moved to amend the same as follows:

Amend by striking out all after the figure 3 in section 3, and inserting in lieu the following:

"That all legislative employees of the tenth legislative assembly who have performed actual services, be paid according to the resolutions of each house employing them.

"Whereas, an emergency exists, in this, that the law is inadequate in providing for the payment of certain employees, therefore this act shall take effect and be in force from and after its passage and approval."

Which motion prevailed, and

And the amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 79, nays 3, absent and not voting 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Anderson, Grand F'rks	Graham	Piper
Anderson, Bernt	Grant	Plath
Anderson, O. P. N.	Griffith	Pugh
Andrus	Halaas	Putnam
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Schlenker
Burdick	Hosford	Sorley of Grand Forks
Buttz	Jensen	Sorlie of Traill
Carter	Johnson of Pembina	Stavens
Casey	Johnson of Sargent	Steen
Chapman	Johnson of Ward	Stevens
Church	Jones of Barnes	Storey
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syvertson
Cunningham	Martin of Billings	Thoreson
Dean	McDowall	Tofsrud
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Elhard	Monek	Walker
Evans	Moore	Watts
Flamer	Morin	Welford
Ganssle	Nelson of Traill	White
Garden	Oveson	Mr. Speaker
Gibbens		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Midgarden	Nelson of Steele

Absent and not voting:

Messrs.—

Adams
Burgum
Freeman
Hallick
Hanawalt
Hankinson

Messrs.—

Mathews
Murphy
Parkhill
Purdon
Restemayer
Shannafelt

Messrs.—

Simpson
Sinclair
Shirley
Treat
Tufte
Wedge

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed as amended and the title was agreed to.

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 212 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Hemmingson moved

That the house concur in the senate amendments to House Bill No. 92.

Which motion prevailed, and

The amendments were adopted.

Mr. Hemmingson moved

That House Bill No. 92 be placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 95, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen

Messrs.—

Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson

Messrs.—	Messrs.—	Messrs.—
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Morton	Streeter
Connolly	Martin of Billings	Swendseid
Crawford	Mathews	Syvertson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Freeman	Murphy	Wedge
Ganssle	Nelson of Steele	Welford
Garden	Nelson of Traill	White
Gibbens	Oveson	Mr. Speaker
Giedt	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hankinson	Sinclair	Tufte
Shannafelt	Shirley	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Hemmingson moved

That the vote by which House Bill No. 92 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personality.

Which the senate has amended as follows:

That in line 3 of the printed bill the word "personality" be changed so as to read "personalty."

That in page 1, in line 3, of the printed bill, the word "person," after the word "any," be stricken out and the following words: "blacksmith or machinist having an established place of business with the state," be inserted in lieu thereof.

That on page 1, in line 5, of the printed bill, the words "article of personal property" be stricken out and the following words: "engine, threshing machine or well machine" be inserted in lieu thereof.

That on page 3, in line 40 of the printed bill, insert the words "or proceedings" after the word "action."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Duncan moved

That the house concur in the senate amendments to House Bill No. 301.

Which motion prevailed, and

The amendments were adopted.

Mr. Duncan moved

That House Bill No. 301 be placed upon its third reading and final passage as amended.

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Andrus

Blake

Blegen

Brodie

Brotnov

Burdick

Burgum

Buttz

Carter

Casey

Chapman

Messrs.—

Giedt

Graham

Grant

Griffith

Halaas

Hallick

Hanson

Haugen

Hemmingsen

Hosford

Jensen

Johnson of Pembina

Johnson of Sargent

Johnson of Ward

Jones of Barnes

Jones of Ransom

Messrs.—

Peake

Piper

Plath

Pugh

Purdon

Putnam

Restemayer

Rohs of Morton

Rose of Dickey

Schlenker

Sorley of Grand Forks

Sorlie of Traill

Stavens

Steen

Stevens

Storey

Messrs.—	Messrs.—	Messrs.—
Church	Law	Streeter
Collins	Martin of Morton	Swendseld
Connolly	Mathews	Syvertson
Crawford	McDowall	Thoreson
Cunningham	Midgarden	Tofsrud
Dibley	Miller	Ueland
Duncan	Mockler	Wake
Elhard	Monek	Walker
Evans	Moore	Watts
Flamer	Morin	Wedge
Freeman	Murphy	Welford
Ganssle	Nelson of Steele	White
Garden	Nelson of Traill	Mr. Speaker
Gibbens	Oveson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dean	Parkhill	Shirley
Hanawalt	Shannafelt	Treat
Hankinson	Simpson	Tufte
Martin of Billings	Sinclair	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 301 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The Speaker called Mr. Burgum to the chair.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 94,

A bill for an act to provide for the safekeeping of the public funds.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Rose of Dickey moved

That the house do concur in the senate amendments to House Bill No. 279.

Which motion prevailed, and

The amendments were adopted.

Mr. Rose of Dickey moved

That House Bill No. 279 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 89, nays none, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Oveson
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Sorley of Grand Forks
Burgum	Jensen	Sorlie of Traill
Buttz	Johnson of Pembina	Stavens
Carter	Johnson of Sargent	Steen
Casey	Johnson of Ward	Stevens
Chapman	Jones of Barnes	Storey
Church	Jones of Ransom	Streeter
Collins	Law	Swendseid
Connolly	Martin of Morton	Syverson
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Tofsrud
Dibley	McDowall	Treat
Duncan	Midgarden	Ueland
Elhard	Miller	Wake
Evans	Mockler	Walker
Flamer	Monek	Watts
Freeman	Moore	Wedge
Ganssle	Murphy	Welford
Garden	Nelson of Steele	White
Gibbens	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	Peake	Shirley
Hankinson	Shannafelt	Tufte
Morin	Simpson	Mr. Speaker
Farkhill	Sinclair	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Duncan moved

That the vote by which House Bill No. 279 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Duncan moved

That the house do concur in the senate amendments to House Bill No. 165.

Which motion prevailed, and

The amendments were adopted.

Mr. Duncan moved

That House Bill No. 165 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 91, nays none, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans

Messrs.—

Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek

Messrs.—

Nelson of Traill
Oveson
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Tofsrud
Treat
Ueland
Wake
Walker

Messrs.—
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens

Messrs.—
 Moore
 Morin
 Murphy
 Nelson of Steele

Messrs.—
 Watts
 Wedge
 Welford
 White

Absent and not voting:

Messrs.—
 Hankinson
 Parkhill
 Peake

Messrs.—
 Shannafelt
 Sinclair
 Shirley

Messrs.—
 Thoreson
 Tufte
 Mr. Speaker

Messrs. Shannafelt, Shirley and Tufte being excused.
 So the bill passed and the title as amended was agreed to.

Mr. Adams moved

That the vote by which House Bill No. 165 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Burdick moved

That the house do concur in the senate amendments to House Bill No. 53.

Which motion prevailed, and

The amendments were adopted.

Mr. Burdick moved

That House Bill No. 53 be placed upon its third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 8, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by

said village becoming organized under chapter 31 of the Political Code of North Dakota.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of person-
alty.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were ayes 90, nays 1, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Oveson
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Halaas	Pugh
Anderson, O. P. N.	Hallick	Purdon
Andrus	Hanawalt	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Sorley of Grand Forks
Burgum	Johnson of Pembina	Sorlie of Traill
Buttz	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Casey	Jones of Barnes	Stevens
Chapman	Jones of Ransom	Storey
Church	Law	Streeter
Collins	Martin of Morton	Swendseid
Connolly	Martin of Billings	Syverson
Cunningham	Mathews	Thoreson
Dean	McDowall	Tofsrud
Dibley	Midgarden	Treat
Duncan	Miller	Tufte
Elhard	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Murphy	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Nelson of Traill	White
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Crawford	Piper	Sinclair
Hankinson	Shannafelt	Shirley
Parkhill	Simpson	Mr. Speaker

Mr. Rohs of Morton voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 53 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Also,

House Bill No. 54,

A bill for an act amending section 2439 of the Revised Codes of 1905, relating to county funds.

Also,

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Also,

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 240,

A bill for an act entitled an act creating and establishing an irrigation and dry farming experiment station at or near Williston, in Williams county, Providing for its management, and making an appropriation therefor.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Codes of 1905 relating to locating and building of bridges.

Also,

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Also,

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

And the speaker signed the same in the presence of the house.

The speaker called Mr. Haugen to the chair.

Senate Bill No. 290,

A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D. 1905, relating to judicial districts within the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 17, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Collins
Connolly
Crawford
Cunningham
Duncan
Elhard
Evans

Messrs.—

Garden
Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hemmingsen
Johnson of Pembina
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Mockler

Messrs.—

Peake
Purdon
Putnam
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Ueland
Wake

Messrs.—
Flamer
Freeman
Ganssle

Messrs.—
Monek
Murphy
Parkhill

Messrs.—
Wedge
Welford
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Blake
Brotnov
Dibley
Haugen
Hosford
Johnson of Sargent

Messrs.—

Mathews
Moore
Nelson of Steele
Nelson of Traill
Oveson
Piper

Messrs.—

Plath
Restemayer
Treat
Walker
White

Absent and not voting:

Messrs.—

Church
Dean
Gibbens
Hanson

Messrs.—

Jensen
Morin
Pugh
Shannafelt

Messrs.—

Shirley
Tufte
Watts

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 290 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 292,

A bill for an act creating and defining the Tenth judicial district within the state of North Dakota; providing for the election of a judge therein and fixing the terms of court in said district.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 6, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand Frks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent

Messrs.—

Piper
Pugh
Purdon
Putnam
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens

Messrs.—	Messrs.—	Messrs.—
Church	Johnson of Ward	Storey
Collins	Jones of Barnes	Streeter
Connolly	Jones of Ransom	Swendseid
Crawford	Law	Syvertson
Cunningham	Martin of Morton	Thoreson
Dean	Martin of Billings	Tofsrud
Dibley	McDowall	Treat
Duncan	Midgarden	Ueland
Elhard	Miller	Wake
Evans	Mockler	Walker
Flamer	Monek	Watts
Freeman	Moore	Wedge
Ganssle	Morin	Welford
Garden	Murphy	White
Gibbens	Oveson	Mr. Speaker
Giedt	Parkhill	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blake	Mathews	Nelson of Traill
Brotnov	Nelson of Steele	Restemayer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Feake	Shannafelt	Tufte
Plath	Shirley	

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Martin of Morton moved

That the vote by which Senate Bill No. 292 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the house recall from the senate Senate Bill No. 58.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 98,

A bill for an act to amend section 4440 of the Revised
Codes of North Dakota, 1905.

Also,

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Also,

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Also,

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Which the senate has passed unchanged.

Also,

I have the honor to inform you that the senate declines to concur in the house amendments to Senate Bill No. 23, and asks for a committee of conference, and the president has named as such conferees on the part of the senate, Messrs. Sifton, McDonald and Purcell.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 280,

A bill for an act entitled, "An act to amend subdivision 3 of section 7225 of the Revised Codes of North Dakota, relating to appeals to the supreme court from orders made in certain cases."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 3, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—

Adams
Anderson, Grand F'rks
Anderson, Bernt
Brodie
Burdick
Burgum
Buttz

Messrs.—

Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen

Messrs.—

Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson

Messrs.—	Messrs.—	Messrs.—
Carter	Johnson of Pembina	Sinclair
Casey	Johnson of Sargent	Sorley of Grand Forks
Chapman	Johnson of Ward	Sorlie of Traill
Church	Jones of Barnes	Stavens
Collins	Jones of Ransom	Steen
Connolly	Law	Stevens
Crawford	Martin of Morton	Storey
Cunningham	Martin of Billings	Streeter
Dean	McDowall	Swendseid
Dibley	Miller	Syverson
Duncan	Mockler	Thoreson
Elhard	Monek	Tofsrud
Evans	Moore	Treat
Flamer	Morin	Ueland
Freeman	Murphy	Wake
Ganssle	Nelson of Steele	Walker
Garden	Nelson of Trail	Watts
Gibbens	Oveson	Wedge
Giedt	Parkhill	Welford
Graham	Plath	White
Griffith	Pugh	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Grant	Piper

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Andrus	Hallick	Shannafelt
Blake	Mathews	Shirley
Blegen	Midgarden	Tufte
Brotnov		

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 280 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith
Senate Bill No. 58,

A bill for an act to create the ninth judicial district of the state of North Dakota, defining the boundaries of the

second, eighth and ninth judicial districts of said state, and providing for terms of court in the said districts.

As requested by the house.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Which the senate has amended as follows:

That on page 2, in line 20, of the printed bill, add the following after the word "sold:" "and also published in a newspaper published at the county seat, and also in a newspaper published at the seat of government."

That the following be added after the last word "herein" of original bill: "Provided, further, that any school or institution lands that may be required for townsite purposes may be paid for at any time and patent issued therefor."

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 2, nays 80, absent and not voting 18.

Those who voted in the negative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Anderson, Bernt

Anderson, O. P. N.

Blake

Messrs.—

Graham

Grant

Griffith

Hallick

Hanawalt

Hankinson

Messrs.—

Oveson

Piper

Plath

Pugh

Purdon

Putnam

Messrs.—	Messrs.—	Messrs.—
Blegen	Hanson	Restemayer
Brotnov	Haugen	Rohs of Morton
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Ward	Sorley of Grand Forks
Casey	Jones of Barnes	Sorlie of Traill
Church	Jones of Ransom	Stavens
Collins	Martin of Morton	Steen
Connolly	Martin of Billings	Stevens
Crawford	Mathews	Streeter
Cunningham	McDowall	Swendseid
Dean	Midgarden	Syvertson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Garden	Murphy	Watts
Gibbens	Nelson of Steele	White
Giedt	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson of Sargent	Shirley
Chapman	Law	Thoreson
Evans	Parkhill	Tufte
Ganssle	Peake	Wedge
Halaas	Rose of Dickey	Welford
Hemmingsen	Shannafelt	Mr. Speaker

Messrs. Brodie and Storey voted in the affirmative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill was lost.

Mr. Stevens moved

That the vote by which Senate Bill No. 321 was lost be reconsidered and the vote to reconsider be laid upon the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:
House Bill No. 241,

A bill for an act amending and re-enacting sections 2361 and 2364 of the Revised Codes of 1905, relating to county seats.

Also,

House Bill No. 190,

A bill for an act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Also,

House Bill No. 182,

A bill for an act entitled, "An act to amend sections 466 and 467 of chapter 7 of the Political Code of the state of North Dakota providing for the distribution of supreme court reports."

Also,

House Bill No. 162,

A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Also,

House Bill No. 262,

A bill for an act to amend sections 4608 and 4609 of chapter 18 of the Revised Codes of North Dakota, 1905, relating to, debts limited, and, income and expenses, respectively, of agricultural fair corporations.

Also,

House Bill No. 201,

A bill for an act to amend section 8022 of the Revised Codes of 1905, relating to letters of administration, and who entitled to same.

Also,

House Bill No. 300.

A bill for an act to amend section 3213 of the Revised Codes of the state of North Dakota of 1905 relating to townships purchasing road machinery.

Also,

House bill No. 34.

A bill for an act to amend section 4302 of the revised codes of North Dakota, of 1905, relating to stopping of trains at county seats.

Also,

House Bill No. 304,

A bill for an act to amend section 2612 of the Revised Codes of 1905, relating to fees of county surveyors.

Also,

House Bill No. 205,

A bill for an act to repeal sections 1195 and 1196 of the North Dakota Revised Code of 1905, and sections 1, 2, 3, and 4 of chapter 76 of the Session Laws of 1905, being sections 1910, 1911 and 1912 of the Revised Code of North Dakota of 1905, and further to provide for the admission

to the state hospital for the insane of residents of other states or territories and the payment for such care and treatment, and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment.

Also,

House Bill No. 195,

A bill for an act providing for the publication and registration of special tax receipts or licenses from the government of the United States to sell distilled, malt and fermented liquors, issued to persons in North Dakota, the payment and collection of registration fees and publication fees, regulating the posting and exhibiting of such tax receipts or licenses, prescribing the duties of officials and owners and lessors of property in relation thereto, prescribing penalties for failure to perform the duties prescribed and other regulations pertaining to the sale of intoxicating liquors.

Also,

House Bill No. 43,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public office or place in the state for the transaction of business.

Also,

House bill No. 11,

A bill for an act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.

Also,

House Bill No. 284,

A bill for an act defining express companies, freight line companies and equipment companies, telegraph and telephone companies and providing for the assessment of their property and the taxation of the same.

Also,

House Bill No. 144,

A bill for an act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Also,

House Bill No. 299,

A bill for an act to amend section 1882 of the Revised Codes of the state of North Dakota for 1905 relating to asylums and poor farms.

Also,

House Bill No. 60,

A bill for an act to amend section 4036 of the Revised Codes of North Dakota, for 1905, relating to who may solemnize marriages and to marriage licenses.

Also,

House Bill No. 52,

A bill for an act providing that whenever any court, in passing sentence on any person convicted of a misdemeanor, sentences such person to confinement in the court jail, the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Also,

House Bill No. 344,

A bill for an act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than 6,000 inhabitants, and for the construction of sewers and water mains therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Also,

House Bill No. 308,

A bill for an act to amend section 4587, Revised Codes of North Dakota of 1905, relating to cemetery corporation.

Were delivered to the governor for his approval at the hour of 3:15 o'clock p. m. March 8, 1907.

THOS. H. PUGH,

Chairman.

Mr. Pugh moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign:

Senate Bill No. 337,

A bill for an act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Also,

Senate Bill No. 95,

A bill for an act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Also,

Senate Bill No. 159,

A bill for an act designed to define the powers and increase the efficiency of the state normal and industrial school.

Also,

Senate Bill No. 267,

A bill for an act to amend section 7176 of the 1905 Revised Codes of North Dakota.

Also,

Senate Bill No. 233,

A bill for an act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor and repealing sections 1283 and 1284 of the Revised Codes of the state of North Dakota of 1905.

Also,

Senate Bill No. 306,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

Senate Bill No. 318,

A bill for an act to amend sections 1872 and 1877 of the Revised Codes of 1905, relating to duty of superintendant of county asylum and poor farm.

Also,

Senate Bill No. 338,

A bill for an act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions. Requiring institutional trustees to furnish data demanded by the governor for this purpose and

providing for payment of the necessary clerical and printing costs of such statements.

Also,

Senate Bill No. 271,

A bill for an act to amend section 8149 of the 1905 Revised Codes of 1905, relating to examination of parties.

Also,

Senate Bill No. 279,

A bill for an act authorizing the use of typewritten abstracts and briefs in certain criminal cases on appeal to the supreme court.

Also,

Senate Bill No. 326,

A bill for an act entitled an act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Also,

Senate Bill No. 16,

A bill for an act providing for the erection of fire escapes in hotels, inns, and public lodging houses, and regulating the conduct of such hotels, inns, and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.

Also,

Senate Bill No. 124,

A bill for an act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due, shall be considered as prima facie evidence of the indebtedness sued on.

Also,

Senate Bill No. 213,

A bill for an act to amend section 9921 of the Revised Codes of the state of North Dakota.

Also,

Senate Bill No. 251,

A bill for an act making entries in a book or other permanent form evidence in certain cases.

Also,

Senate Bill No. 253,

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Also,

Senate Bill No. 255,

A concurrent resolution amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Also,

Senate Bill No. 277,

A bill for an act providing the manner in which the right of way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Also,

Senate Bill No. 278,

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Also,

Senate Bill No. 333,

A bill for an act to amend sections 1050, 1051, 1082, 1092, and 1231 of the Revised Codes of 1905, relating to education.

And the speaker signed the same in the presence of the house.

Senate Bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 78; nays, 11; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand Forks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Casey
Chapman
Church
Collins
Connolly
Crawford

Messrs.—

Giedt
Graham
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law

Messrs.—

Parkhill
Piper
Plath
Pugh
Purdon
Putnam
Rohs of Morton
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter

Messrs.—
 Cunningham
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden

Messrs.—
 Martin of Morton
 Martin of Billings
 McDowall
 Miller
 Mockler
 Monek
 Moore
 Morin
 Murphy

Messrs.—
 Swendseid
 Syvertson
 Treat
 Tufte
 Ueland
 Wake
 Watts
 Wedge
 Mr. Speaker

Those who voted in the negative were:

Messrs.—
 Adams
 Blake
 Carter
 Gibbens

Messrs.—
 Hemmingsen
 Midgarden
 Nelson of Traill
 Oveson

Messrs.—
 Restemayer
 Walker
 White

Absent and not voting:

Messrs.—
 Dean
 Grant
 Mathews
 Nelson of Steele

Messrs.—
 Peake
 Rose of Dickey
 Shannafelt
 Shirley

Messrs.—
 Thoreson
 Tofsrud
 Welford

So the bill passed and the title was agreed to.

Mr. Martin of Morton moved

That the vote by which Senate Bill No. 58 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Streeter offered the following resolution and moved its adoption:

Whereas, the Minneapolis Tribune has always been the friend of North Dakota, has ever been ready to lend its columns in any effort toward the settlement and upbuilding of the state and is now planning substantial assistance in this behalf free of cost, be it

Resolved, that in appreciation of this spirit, which has in the past and is now doing so much to build up the state, the thanks of this body are expressly tendered the Tribune.

Which motion prevailed, and

The resolution was adopted.

Mr. Putnam moved

That the house do concur in the senate amendment to House Bill No. 169.

Which motion prevailed, and

The amendments were adopted.

Mr. Putnam moved that House Bill No. 169 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 169,

A bill for a concurrent resolution for amendment to the

constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were: ayes, 69; nays, 1; absent and not voting, 30.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Plath
Adams	Grant	Pugh
Anderson, Grand F'rks	Griffith	Purdon
Anderson, Bernt	Halaas	Putnam
Anderson, O. P. N.	Hallick	Sinclair
Andrus	Hannawalt	Sorley of Grand Forks
Blake	Hankinson	Sorlie of Traill
Blegen	Hanson	Stavens
Brodie	Haugen	Steen
Brotnov	Hemmingsen	Stevens
Burdick	Hosford	Storey
Burgum	Jensen	Streeter
Buttz	Jones of Barnes	Swendseld
Carter	Jones of Ransom	Syverson
Casey	Law	Thoreson
Chapman	Martin of Billings	Tofsrud
Church	Miller	Treat
Dean	Mockler	Tufte
Duncan	Monek	Ueland
Freeman	Nelson of Steele	Wake
Garden	Oveson	Walker
Gibbens	Parkhill	Watts
Giedt	Piper	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Johnson of Sargent	Peake
Connolly	Johnson of Ward	Restemayer
Crawford	Martin of Morton	Rohs of Morton
Cunningham	Mathews	Rose of Dickey
Dibley	McDowall	Schlenker
Elhard	Midgarden	Shannafelt
Evans	Moore	Simpson
Flamer	Morin	Shirley
Ganssle	Murphy	Wedge
Johnson of Pembina	Nelson of Traill	Welford

Mr. White voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title as amended was agreed to.

Mr. Piper moved

That the vote by which House Bill No. 169 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 294,

A bill for an act to amend section 2602 of the Revised Codes of North Dakota, 1905, relating to fees of sheriffs.

Was read the third time,

Mr. Streeter moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

And the further consideration of the bill was indefinitely postponed.

Mr. Streeter moved

That the vote by which Senate Bill No. 294 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Which the senate has amended as follows:

That all of the last four lines of the original bill, known as the emergency clause, be stricken out.

And passed as amended.

Also,

House Bill No. 107,

A bill for an act providing to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Which the senate has amended as follows:

Strike out everything after enactment clause and insert the following:

Section 1. The board of county commissioners of any county shall, whenever they deem it advisable, vote upon the question of providing a workhouse wherein persons confined to the county jail of said county shall be compelled to work at hard labor, and said board of county commissioners shall prescribe the kind of work such convicts shall be employed at and furnish the necessary tools and materials. Such vote shall be in all respects conducted by the said board of county commissioners in the regular meeting and according to the provisions of the law.

Section 2. Wherever the county commissioners shall have voted to establish such work-house, then at the next general election, but at no other time, this question shall be submitted to the vote of the people and the order of the board of county commissioners for such election shall be made at least sixty days before such election is held, and notice of such election shall be given in the same manner and for the same length of time as notices of all general elections.

Section 3. The ballots to be used at such elections shall be in the following form: "For the establishment of work-house, and against establishment of work-house." In voting on the question each voter must place at the right of the proposition he favors, the mark "X." If a majority of the ballots cast at such election is for the establishment of such a work-house then it shall be the duty of the county commissioners to provide for a work-house for such county.

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 229,

A bill for an act amending sections 1278 and 1279 of the Revised Codes of North Dakota, relating to duties of store keepers and expense lists of penitentiary.

Was read the third time.

Mr. O. P. N. Anderson moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed,

And the further consideration of the bill was indefinitely postponed.

Mr. O. P. N. Anderson moved

That the vote by which Senate Bill No. 229 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Speaker in the chair.

Mr. Sorley of Grand Forks moved

That the house do concur in the senate recommendation for a conference committee on Senate Bill No. 23.

Which motion prevailed.

The speaker appointed Messrs. White, Rose and Stevens as a conference committee to confer with the committee from the senate on Senate Bill No. 23.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith further amendment to the title of

House Bill No. 107,

A bill for an act authorizing and prescribing the manner in which county workhouse may be erected and maintained.

Very respectfully

J. W. FOLEY,
Secretary.

Senate Bill No. 254,

A bill for an act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing the penalty for the violation of its provisions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 93; absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Parkhill
Anderson, Grand F'rks	Grant	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Pugh
Andrus	Hallick	Purdon
Blake	Hanawalt	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens

Messrs.—

Collins
 Connolly
 Crawford
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Giedt

Messrs.—

Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Midgarden
 Miller
 Mockler
 Monek
 Moore
 Morin
 Murphy
 Nelson of Steele
 Nelson of Traill
 Oveson

Messrs.—

Storey
 Streeter
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Treat
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—

Aaker
 Hankinson
 Peake

Messrs.—

Shannafelt
 Sinclair

Messrs.—

Shirley
 Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved that the vote by which Senate Bill No. 254 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

House Bill No. 227,

A bill for an act to amend section 2441 Revised Codes of 1905, relating to designation of county depositories.

Was read the third time.

Mr. Burdick moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Burdick moved

That the vote by which Senate Bill No. 227 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 177,

A bill for an act relating to the annual reports of life insurance companies.

Was read the third time.

The question being on the final passage of the bill

The roll was called and there were ayes, 91; nays, 1; absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hankinson	Rohs of Morton
Blegen	Hanson	Rose of Dickey
Brodie	Hosford	Schlenker
Brotnov	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Chapman	Jones of Ransom	Steen
Church	Law	Stevens
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syvertson
Dean	Midgarden	Thoreson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Traill	Welford
Garden	Oveson	White
Gibbens	Peake	Mr. Speaker
Giedt		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Haugen	Packhil	Tufte
Hemmingsen	Shannafelt	Wedge
Nelson of Steele	Shirley	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved that the vote by which Senate Bill No. 177 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,
Bismarck, N. D., March 8, 1907.

To the House of Representatives:

GENTLEMEN: I have the honor to inform you that I have approved and filed with the secretary of state

House Bill No. 116,

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

I have the honor to be,

Respectfully,

JOHN BURKE,
Governor.

Senate Bill No. 178,

A bill for an act prohibiting corporations or stock companies acting as agents or solicitors for life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 42; nays, 42; absent and not voting, 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Duncan	McDowall
Adams	Elhard	Miller
Anderson, Grand Frks	Evans	Mockler
Anderson, O. P. N.	Flamer	Monek
Andrus	Freeman	Mooré
Blegen	Ganssle	Piper
Brodie	Garden	Plath
Brotnov	Gibbens	Rose of Dickey
Burgum	Giedt	Schlenker
Buttz	Graham	Sorley of Grand Forks
Carter	Johnson of Pembina	Sorlie of Traill
Casey	Jones of Ransom	Streeter
Chapman	Law	Treat
Cunningham	Martin of Billings	Wake

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, Bernt	Jensen	Purdon
Blake	Johnson of Sargent	Putnam
Burdick	Johnson of Ward	Restemayer
Church	Jones of Barnes	Rohs of Morton
Collins	Martin of Morton	Steen
Connolly	Mathews	Stevens
Crawford	Midgarden	Storey
Dean	Morin	Swendseid
Grant	Murphy	Syvertson
Griffith	Nelson of Steele	Thoreson
Halaas	Nelson of Traill	Walker
Hanawalt	Oveson	Watts
Hankinson	Parkhill	Welford
Hanson	Pugh	Mr. Speaker

Absent and not voting:

Messrs.—

Dibley
Hallick
Haugen
Hemmingsen
Hosford
Peake

Messrs.—

Shannafelt
Simpson
Sinclair
Shirley
Stavens

Messrs.—

Tofsrud
Tufte
Ueland
Wedge
White

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill was lost.

Mr. Peake moved

That the vote by which Senate Bill No. 178 was lost be reconsidered and the vote to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 184,

A bill for an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.

Was read the third time.

Mr. Sorley of Grand Forks moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 230,

A bill for an act to amend section 1973 of the Revised Codes of 1905, relating to estrays.

Also,

House Bill No. 153,

A bill for an act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Also,

House Bill No. 176,

A bill for an act to amend section 9929 of the Revised Codes of the state of North Dakota.

Also,

House Bill No. 240,

A bill for an act creating and establishing an irrigation and dry farming experiment station at or near Williston, in Williams county, providing for its management and making an appropriation therefor.

Also,

House Bill No. 219,

A bill for an act to amend sections 1378 and 1380, of the Revised Codes of 1905 relating to locating and building of bridges.

Also,

House Bill No. 7,

A bill for an act requiring railway companies owning or operating a line of railway in this state to construct, maintain, and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle guards and regulating speed of trains at depot grounds.

Also,

House Bill No. 54,

A bill for an act amending section 2439 of the Revised Codes of 1905, relating to county funds.

Also,

House Bill No. 68,

A bill for an act to amend section 6130 of the Revised Codes of North Dakota for the year 1905, relating to liens on future interest.

Were delivered to the governor for his approval at the hour of 3:45 o'clock p. m., March 8, 1907.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

And the report was adopted.

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 91; nays, 4; absent and not voting, 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Peake
Adams	Griffith	Piper
Anderson, Grand F'rks	Halaas	Plath
Anderson, Bernt	Hallick	Pugh
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Simpson
Burdick	Jensen	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Church	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Dean	McDowall	Syverson
Dibley	Midgarden	Thoreson
Duncan	Miller	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Walker
Ganssle	Murphy	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Nelson of Traill	White
Giedt	Oveson	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Connolly	Johnson of Pembina	Watts
Cunningham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Parkhill	Shannafelt	Tufte
Schlenker	Shirley	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 304 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 173,

A bill for an act relating to the salaries of officers and agents of life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 87; nays, 5; absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Giedt	Oveson
Anderson, Grand F'rks	Graham	Piper
Anderson, Bernt	Griffith	Plath
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanawalt	Restemayer
Blegen	Hankinson	Rohs of Morton
Brodie	Hanson	Rose of Dickey
Brotnov	Haugen	Schlenker
Burdick	Hemmingsen	Simpson
Burgum	Hosford	Sinclair
Buttz	Jensen	Sorley of Grand Forks
Carter	Johnson of Pembina	Sorlie of Trail
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Stevens
Collins	Jones of Ransom	Streeter
Connolly	Law	Swendseid
Crawford	Martin of Morton	Syverson
Cunningham	Martin of Billings	Thoreson
Dean	Mathews	Tofsrud
Dibley	McDowall	Treat
Duncan	Miller	Ueland
Elhard	Mockler	Wake
Evans	Monek	Walker
Flamer	Moore	Watts
Freeman	Morin	Wedge
Ganssle	Murphy	Welford
Garden	Nelson of Traill	White
Gibbens	Nelson of Steele	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Church	Johnson of Sargent	Steen
Grant	Pugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Peake	Storey
Midgarden	Shannafelt	Tufte
Parkhill	Shirley	

So the bill passed and the title was agreed to.

Mr. Burdick moved

That the vote by which Senate Bill No. 173 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 60,

A bill for an act providing for and regulating the election of directors of mutual life insurance companies.

Was read the third time.

Mr. Nelson of Steele moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907,

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Which the senate has passed unchanged.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Which the house has amended as follows:

That in line 4 of section 1 of the original bill the word "wife" be stricken out and the words "surviving husband or widow" be inserted in lieu thereof.

That in line 15 of section 1 of the original bill the first word "widow" be stricken out and the words "surviving husband or wife" be inserted in lieu thereof.

That in line 15 of section 1 of the original bill the second word "widow" be stricken out and the words surviving "husband or wife" be inserted in lieu thereof.

That in line 16 of section 1 of the original bill the word "widow" be stricken out and the words "surviving husband or wife" be inserted in lieu thereof.

That in line 22 of section 1 of the original bill the word "rest" be changed so as to read "vest."

That in line 23 of section 1 of the original bill the word "widow" be stricken out and the words "surviving husband or wife" be inserted in lieu thereof.

That in line 32 of section 1 of the original bill the word "must" be stricken out and the word "may" be inserted in lieu thereof.

And passed as amended.

Also,

I have the honor to inform you that the senate has adopted the report of the conference committee on house bill 278, and requested the return of the bill.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 53,

A bill for an act relating to the provisions of life insurance policies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 89; nays, 2; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Duncan
Elhard
Flamer
Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Mathews
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Traill
Oveson
Peake

Messrs.—

Piper
Plath
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Wake
Walker
Watts
Wedge
Welford
White

Absent and not voting:

Messrs.—

Dibley
Evans
Martin of Billings

Messrs.—

McDowall
Parkhill
Shannafelt

Messrs.—

Shirley
Tufte
Mr. Speaker

Messrs. Nelson of Steele and Pugh voting in the negative.
Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 53 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 61,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 94; nays, 2; absent and not voting, 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Piper
Adams	Griffith	Plath
Anderson, Grand F'rks	Halaas	Pugh
Anderson, Bernt	Hallick	Purdon
Anderson, O. P. N.	Hanawalt	Putnam
Andrus	Hankinson	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Schlenker
Brotnov	Hosford	Simpson
Burdick	Jensen	Sinclair
Burgum	Johnson of Pembina	Sorley of Grand Forks
Buttz	Johnson of Sargent	Sorlie of Traill
Carter	Johnson of Ward	Stavens
Casey	Jones of Barnes	Steen
Chapman	Jones of Ransom	Stevens
Church	Law	Storey
Collins	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	McDowall	Syverson
Cunningham	Midgarden	Thoreson
Dean	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Freeman	Murphy	Watts
Ganssle	Nelson of Traill	Wedge
Garden	Oveson	Welford
Gibbens	Parkhill	White
Giedt	Peake	Mr. Speaker
Graham		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Martin of Morton	Shirley	Tufte
Shannafelt		

Messrs. Martin of Morton and Nelson of Steele voting in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved that the vote by which Senate Bill No. 61 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland introduced the following resolution and moved its adoption:

Whereas, the original Senate Bill 167, a bill for an act to amend section 2245 of the Revised Codes of 1905 relating to license, has been lost by the steering committee and cannot be found,

Resolved, that the House request from the Senate a certified copy of said bill as it passed the Senate.

Which motion prevailed, and

And the resolution was adopted.

Senate Bill No. 171,

A bill for an act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 79; nays, 17; absent and not voting, 4.

Those who voted in the affirmative were:

Messrs.—

Aaker
Anderson, Grand F'rks
Anderson, Bernt
Adams
Andrus
Blake
Blegen
Brodie
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan

Messrs.—

Garden
Gibbens
Giedt
Graham
Halaas
Hallick
Hanawalt
Hankinson
Haugen
Hosford
Jensen
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler

Messrs.—

Nelson of Traill
Oveson
Parkhill
Peake
Piper
Plath
Purdon
Putnam
Restemayer
Rose of Dickey
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Stevens
Storey
Streeter
Swendseid
Treat
Ueland
Wake

Messrs.—
Elhard
Evans
Flamer
Freeman
Ganssle

Messrs.—
Monek
Moore
Morin
Murphy

Messrs.—
Walker
Wedge
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—
Anderson, O. P. N.
Grant
Griffith
Hanson
Hemmingsen
Johnson of Pembina

Messrs.—
Martin of Morton
Nelson of Steele
Pugh
Rohs of Morton
Schlenker
Steen

Messrs.—
Syvertson
Thoreson
Tofsrud
Watts
Welford

Absent and not voting:

Messrs.—
Brotnov
Shannafelt

Messrs.—
Shirley

Messrs.—
Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 171 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 91; nays, 3; absent and not voting, 6.

Those who voted in the affirmative were:

Messrs.—
Adams
Anderson, Grand Frks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins

Messrs.—
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton

Messrs.—
Parkhill
Peave
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Steen
Stevens

Messrs.—	Messrs.—	Messrs.—
Connolly	Martin of Billings	Storey
Crawford	Mathews	Streeter
Cunningham	McDowall	Swendseid
Dean	Midgarden	Syverson
Dibley	Miller	Tofsrud
Duncan	Mockler	Treat
Elhard	Monek	Ueland
Evans	Moore	Wake
Flamer	Morin	Walker
Ganssle	Murphy	Watts
Garden	Nelson of Steele	Wedge
Gibbens	Nelson of Traill	Welford
Giedt	Oveson	Mr. Speaker
Graham		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Freeman	Shirley	Thoreson
Shannafelt	Stavens	Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 313 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA.
March 8, 1907,

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Also,

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Which the senate has passed unchanged.

Very respectfully,

J. W. FOLEY,
Secretary.

Mr. Sorley of Grand Forks moved

That the members of the first and second senatorial districts be given an opportunity to meet with their senators and are requested to report to the house within 15 minutes.

Which motion prevailed.

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 93; nays, 4; absent and not voting, 3.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Piper
Adams	Halaas	Plath
Anderson, Grand F'rks	Hallick	Pugh
Anderson, Bernt	Hanawalt	Purdon
Anderson, O. P. N.	Hankinson	Putnam
Andrus	Haugen	Restemayer
Blake	Hemmingsen	Rohs of Morton
Blegen	Hosford	Rose of Dickey
Brodie	Jensen	Schlenker
Brotnov	Johnson of Pembina	Simpson
Burdick	Johnson of Sargent	Sinclair
Burgum	Johnson of Ward	Sorley of Grand Forks
Buttz	Jones of Barnes	Sorlie of Trail
Carter	Jones of Ransom	Stavens
Casey	Law	Steen
Chapman	Martin of Morton	Stevens
Church	Martin of Billings	Storey
Collins	Mathews	Streeter
Crawford	McDowall	Swendseid
Cunningham	Midgarden	Syverson
Dean	Miller	Thoreson
Dibley	Mockler	Tofsrud
Elhard	Monek	Treat
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Murphy	Walker
Ganssle	Nelson of Steele	Watts

Messrs.—
Garden
Gibbens
Gledt
Graham

Messrs.—
Nelson of Traill
Oveson
Parkhill
Peake

Messrs.—
Wedge
Welford
White
Mr. Speaker

Those who voted in the negative were:

Messrs.—
Connolly
Duncan

Messrs.—
Grant

Messrs.—
Hanson

Absent and not voting:

Messrs.—
Shannafelt

Messrs.—
Shirley

Messrs.—
Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Peake moved that the vote by which Senate Bill No. 164 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Speaker:

Your steering committee recommends that the following bills be placed upon their third reading and final passage and in the following order:

Senate Bill No. 172,

A bill for an act establishing standard forms in which policies of life insurance may be issued in this state and in which policies of life insurance companies organized under the laws of this state may be issued; and regulating the conditions and provisions to be contained in policies of life insurance companies that do not adopt such standard forms.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Also,

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

Also,

Senate Bill No. 307,

A bill for an act prescribing additional duties of the county surveyor.

Also,

Senate Bill No. 298,

A bill for an act requiring each county officer who receives from any county a stated salary of not less than \$2,000 per annum, to keep a record of the fees received by him as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect the fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Also,

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised Codes of 1905, relating to the appointment and qualification of the state examiner.

Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Also,

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 41,

A concurrent resolution, amending the constitution of the state of North Dakota, relating to the legislative department and providing for direct legislation and reference of laws.

Also.

Senate Bill No. 311,

A bill for an act to prohibit discrimination between different sections, communities or localities; unfair competition, and providing penalties for the violation thereof.

A. J. SORLEY,
Chairman.

Mr. Sorley moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign:

Senate Bill No. 222,

A bill for an act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics throughout the state on the standard forms recommended by the United States bureau of the census and the American Public Health Association; and making an appropriation for establishing and maintaining such a bureau and providing certain penalties.

Also,

Senate Bill No. 28,

A bill for an act to regulate the practice of pharmacy.

Also,

Senate Bill No. 76,

A bill for an act to amend section 4082 of the Revised Codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.

Also,

Senate bill No. 55,

A bill for an act to provide for the making of certain abstracts of title prima facie evidence of title and to provide for the recording of the same.

Also,

Senate Bill No. 34,

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Also,

Senate Bill No. 125,

A bill for an act to amend section 638 of the Revised Codes relating to the conduct of elections.

Also,

Senate Bill No. 187,

A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the pay-

ment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

Also,

Senate Bill No. 111,

A bill for an act creating and establishing an agricultural experiment station at or near Hanna or Langdon in Cavalier county, providing for its management and making an appropriation therefor.

And the speaker signed the same in the presence of the house.

Senate Bill No. 172,

A bill for an act establishing standard forms in which policies of life insurance may be issued in this state and in which policies of life insurance companies organized under the laws of this state may be issued; and regulating the conditions and provisions to be contained in policies of life insurance companies that do not adopt such standard forms.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 95; nays, 1; absent and not voting, 4.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz
Carter
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans

Messrs.—

Graham
Griffith
Halaas
Hallick
Hanawalt
Hankinsen
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Pembina
Johnson of Sargent
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
Mathews
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin

Messrs.—

Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sinclair
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Wake
Walker

Messrs.—

Flamer
Freeman
Ganssle
Garder
Gibbens
Giedt

Absent and not voting:

Johnson of Ward
Shannafelt

Messrs.—

Murphy
Nelson of Steele
Nelson of Traill
Oveson
Parkhill
Peake

Shirley

Messrs.—

Watts
Wedge
Welford
White
Mr. Speaker

Tufte

Mr. Grant voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Blake moved

That the vote by which Senate Bill No. 172 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907,

Mr. Speaker:

I have the honor to transmit herewith:

Certified copy of engrossed Senate Bill 167 as requested by the house.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 78; nays, 0; absent and not voting, 22.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.

Messrs.—

Grant
Griffith
Halaas
Hallick
Hanawalt

Messrs.—

Peake
Piper
Plath
Pugh
Purdon

Messrs.—

Andrus
Blegen
Buttz
Casey
Chapman
Church
Collins
Connolly
Crawford
Cunningham
Dean
Dibley
Duncan
Elhard
Evans
Flamer
Freeman
Garden
Gibbens
Giedt
Graham

Messrs.—

Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen
Johnson of Ward
Jones of Barnes
Jones of Ransom
Law
Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Nelson of Traill
Oveson
Parkhill

Messrs.—

Rohs of Morton
Rose of Dickey
Schlenker
Simpson
Sorley of Grand Forks
Sorlie of Traill
Stavens
Steen
Stevens
Storey
Streeter
Swendseid
Syvertson
Thoreson
Tofsrud
Treat
Ueland
Walker
Wedge
White
Mr. Speaker

Absent and not voting:

Messrs.—

Blake
Brodie
Brotnov
Burdick
Burgum
Carter
Ganssle
Johnson of Pembina

Messrs.—

Johnson of Sargent
Mathews
Morin
Murphy
Nelson of Steele
Putnam
Restemayer

Messrs.—

Shannafelt
Sinclair
Shirley
Tufte
Wake
Watts
Welford

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Evans moved

That the vote by which Senate Bill No. 90 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North

Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Which the senate has passed unchanged.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Which the senate has amended as follows:

By striking out section one, renumbering sections two and three.

And passed as amended.

Also,

House Bill No. 327,

A bill for an act to amend and re-enact section 2330 of the Revised Code of 1905, relating to the formation of new counties.

Which the senate has failed to pass.

Very respectfully,

J. W. FOLEY,
Secretary.

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 96; nays, 0; absent and not voting, 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Parkhill
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Sargent	Sorley of Grand Forks
Casey	Johnson of Ward	Sorlie of Traill

Messrs.—
 Chapman
 Church
 Collins
 Connolly
 Crawford
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden
 Gibbens
 Giedt

Messrs.—
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Midgarden
 Miller
 Mockler
 Monek
 Moore
 Morin
 Murphy
 Nelson of Steele
 Nelson of Traill
 Oveson

Messrs.—
 Steen
 Stevens
 Storey
 Streeter
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Treat
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Welford
 White
 Mr. Speaker

Absent and not voting:

Messrs.—
 Shannafelt
 Shirley

Messrs.—
 Stavens

Messrs.—
 Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.
 So the bill passed and the title was agreed to.

Mr. Brodie moved

That the vote by which Senate Bill No. 71 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
 BISMARCK, NORTH DAKOTA,
 March 8, 1907.

Mr. Speaker:

I have the honor to return herewith
 House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Which the senate has amended as follows:

By striking out the emergency clause.

Senate Bill No. 307,

A bill for an act prescribing additional duties of the county surveyor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 85; nays, 9; absent and not voting, 6.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Gibbens	Peake
Anderson, Grand F'rks	Giedt	Piper
Anderson, Bernt	Graham	Plath
Anderson, O. P. N.	Griffith	Pugh
Andrus	Halaas	Purdon
Blake	Hallick	Restemayer
Blegen	Hanawalt	Rose of Dickey
Brodie	Haugen	Schlenker
Brotnov	Hemmingsen	Simpson
Burdick	Johnson of Pembina	Sinclair
Burgum	Johnson of Sargent	Sorley of Grand Forks
Buttz	Johnson of Ward	Sorlie of Traill
Carter	Jones of Barnes	Stavens
Casey	Jones of Ransom	Steen
Chapman	Law	Stevens
Church	Martin of Morton	Storey
Collins	Martin of Billings	Streeter
Connolly	Mathews	Swendseid
Crawford	McDowall	Syvertson
Cunningham	Miller	Thoreson
Dean	Mockler	Tofsrud
Dibley	Monek	Treat
Duncan	Moore	Ueland
Elhard	Morin	Wake
Evans	Murphy	Watts
Flamer	Nelson of Steele	Wedge
Freeman	Oveson	Welford
Ganssle	Parkhill	Mr. Speaker
Garden		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Grant	Jensen	Rohs of Morton
Hanson	Midgarden	Walker
Hosford	Nelson of Traill	White

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Putnam	Shirley
Hankinson	Shannafelt	Tufte

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Miller moved

That the vote by which Senate Bill No. 307 passed be reconsidered and the vote to reconsider be laid upon the table.

Which motion prevailed.

Mr. Ueland moved

That the certified copy of Senate Bill No. 167 be substituted for the original bill.

Which motion prevailed.

Mr. Ueland moved

That the certified copy of Senate Bill No. 167 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 169,

A bill for an act to amend section 8149 of the Revised Codes of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were: ayes, 93; nays, 2; absent and not voting, 5.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brodie	Hemmingsen	Rohs of Morton
Brotnov	Hosford	Rose of Dickey
Burdick	Jensen	Schlenker
Burgum	Johnson of Pembina	Simpson
Buttz	Johnson of Sargent	Sinclair
Carter	Johnson of Ward	Sorley of Grand Forks
Casey	Jones of Barnes	Sorlie of Traill
Chapman	Jones of Ransom	Stavens
Church	Law	Steen
Collins	Martin of Morton	Stevens
Connolly	Martin of Billings	Storey
Crawford	Mathews	Streeter
Cunningham	McDowall	Swendseid
Dean	Midgarden	Syverson
Dibley	Miller	Thoreson
Duncan	Mockler	Tofsrud
Elhard	Monek	Treat
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Murphy	Walker
Ganssle	Nelson of Steele	Watts
Gibbens	Nelson of Traill	Wedge
Giedt	Oveson	Welford
Graham	Parkhill	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Shannafelt	Tufte
Haugen	Shirley	

Messrs. Aaker and White voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Miller moved

That the vote by which Senate Bill No. 167 passed be reconsidered and the vote to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your conference committee on House Bill No. 278 beg leave to make the following recommendations:

In line 16 of the printed bill strike out the word "two" and insert in lieu thereof the word "one."

Strike out the 8th district as it appears in the engrossed bill and insert in lieu thereof: "The eighth district shall consist of the county of Traill and be entitled to one senator and three representatives."

The house concurs in the senate amendment, viz., by adding to line 10 of the printed bill the following: "and all towns, villages and cities therein."

In line 75 of the printed bill strike out the word "two" and insert in lieu thereof the word "one."

In line 97 of the printed bill, after the word "Bruce" add the words "Mount Carmel."

In line 100 of the printed bill strike out the word "two" and insert the word "one" in lieu thereof.

The house concurs in the senate amendment relating to the 23rd district, viz., by striking out the word "three" in line 108 of the printed bill and inserting the word "four" in lieu thereof.

In line 112 of the printed bill strike out the word "two" and insert the word "one" in lieu thereof.

The house concurs in the senate amendment relating to the 28th district, viz: "The 28th district shall consist of all that part of the county of Bottineau lying east of the Mouse river and shall be entitled to one senator and two representatives."

The house concurs in the senate amendment relating to the 31st district, viz: "The 31st district shall consist of the county of Stark and be entitled to one senator and three representatives."

The house concurs in the senate amendment relating to the 34th district except as to the number of the representatives which shall be "two" instead of three," viz: the 34th district shall consist of townships 155, 156, 157 and 158 north, range 75 west, and also townships 155, 156, 157, 158 and 159 north of ranges 76, 77, 78, 79 and 80 in the county of McHenry and be entitled to one senator and two representatives.

The house concurs in the senate amendment relating to the 35th district, viz: "The 35th district shall consist of townships and fractional townships as follows: 143 north of ranges 80 and 81 west and 144 north of ranges 80, 81, 82, 83 and 84 west and townships 145 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84; townships 146 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, and 84 in the county of McLean, and shall be entitled to one senator and one representative.

In line 156 of the printed bill strike out the word "two" and insert the word "one" in lieu thereof.

The house concurs in the senate amendment relative to the 39th district, viz: "The 39th district shall consist of the counties of Billings, Mercer and Oliver and shall be entitled to one senator and two representatives."

In lines 161 and 162 of the printed bill strike out the words "Mount Carmel."

In line 165 of the printed bill strike out the word "two" and insert in lieu thereof the word "one."

Strike out all that portion of the engrossed bill relating to the 45th district, and insert in lieu thereof the following: "The 45th district shall consist of townships 151, 152, 153 and 154 north of ranges 75, 76, 77, 78, 79, and 80 in the county of McHenry and shall be entitled to one senator and one representative.

The house concurs in the senate amendment relating to the 46th district except as to the numbers of the representatives which shall be two instead of three, viz: "The 46th district shall consist of the following townships and fractional townships: Township 147 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, and 91, and townships 148 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91, and townships 149 north of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91, and townships 150 north of of ranges 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 and 91 in the county of McLean shall be entitled to one senator and two representatives."

The 47th district shall consist of all that part of Bottineau county lying west of the Souris river, and shall be entitled to one senator and one representative.

In line 3 of the printed bill strike out the word "forty-five" and insert in lieu thereof the word "forty-seven."

In lines 3 and 4 of the printed bill strike out the words "one hundred and four" and insert in lieu thereof the word "ninety-five."

The senate recedes from all amendments not specifically mentioned in these recommendations.

Respectfully submitted by the joint committee,

JUDSON LAMOURE,

C. B. LITTLE,

J. AUSTIN REGAN,

For the Senate.

AMASA P. PEAKE,

T. O. BURGUM,

R. C. WEDGE,

For the House.

Mr. Peake moved

That the report of the conference committee on House Bill No. 278 be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Freeman moved

That House Bill No. 278 be considered engrossed and placed upon its third reading and final passage as amended.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Which the senate has passed unchanged.

Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Which the senate has amended as follows:

In line 14 of the printed bill after the word "religious" insert the word "fraternal."

In line 15, after the word "purposes" insert the following: "Public hospitals under the control of religious or charitable societies used wholly or in part for public charity."

And passed as amended.

Also,

House Bill No. 233,

A bill for an act entitled, An act making the use of any store, house, shop or other building or any basement or room therein or any lot, block or other parcel of land situate within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

Which the senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were: ayes, 69; nays, 23; absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Halaas	Peake
Adams	Hallick	Piper
Anderson, Grand F'rks	Hanawalt	Plath
Anderson, Bernt	Hankinson	Pugh
Anderson, O. P. N.	Hanson	Purdon
Brodie	Hemmingsen	Rohs of Morton
Burgum	Jensen	Schlenker
Buttz	Johnson of Sargent	Simpson
Carter	Johnson of Ward	Sinclair
Casey	Jones of Barnes	Sorley of Grand Forks
Church	Jones of Ransom	Stavens
Chapman	Law	Steen
Collins	Martin of Morton	Stevens
Connolly	Martin of Billings	Storey
Cunningham	Mathews	Streeter
Dean	Midgarden	Swendseid
Dibley	Miller	Tofsrud
Elhard	Mockler	Treat
Evans	Monek	Ueland
Flamer	Moore	Wake
Freeman	Morin	Watts
Garden	Murphy	Wedge
Giedt	Nelson of Steele	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Graham	Restemayer
Blake	Grant	Rose of Dickey
Blegen	Griffith	Sorlie of Traill
Burdick	Haugen	Syverson
Crawford	Hosford	Thoreson
Duncan	Johnson of Pembina	Welford
Ganssle	McDowall	White
Gibbens	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Putnam	Tufte
Oveson	Shannafelt	Walker
Parkhill	Shirley	

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed as amended and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 278 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Stevens moved

That the vote by which Senate Bill No. 321 was lost be reconsidered.

Which motion prevailed.

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were: ayes, 59; nays, 24; absent and not voting, 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Garden	Murphy
Anderson, Grand F'rks	Gibbens	Peake
Andrus	Giedt	Piper
Blegen	Graham	Plath
Brodie	Hallick	Pugh
Brotnov	Haugen	Purdon
Burgum	Hosford	Schlenker
Buttz	Jensen	Simpson
Chapman	Johnson of Pembina	Sinclair
Church	Johnson of Sargent	Stavens
Collins	Johnson of Ward	Stevens
Connolly	Jones of Barnes	Storey
Cunningham	Jones of Ransom	Streeter
Dean	Law	Swendseid
Dibley	Martin of Billings	Syverson
Elhard	Mathews	Treat
Evans	Miller	Ueland
Flamer	Mockler	Walker
Freeman	Monek	Mr. Speaker
Ganssle	Moore	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Griffith	Nelson of Trail
Anderson, Bernt	Halaas	Rohs of Morton
Anderson, O. P. N.	Hanawalt	Sorley of Grand Forks
Burdick	Hanson	Sorlie of Traill
Carter	Hemmingsen	Steen
Casey	McDowall	Thoreson
Crawford	Morin	Tofsrud
Duncan	Nelson of Steele	Wake

Absent and not voting:

Messrs.—

Blake
Grant
Hankinson
Martin of Morton
Midgarden
Oveson

Messrs.—

Parkhill
Putnam
Restemayer
Rose of Dickey
Shannafelt
Shirley

Messrs.—

Tufte
Watts
Wedge
Welford
White

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which Senate Bill No. 321 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Aaker moved

That the house do concur in the senate amendments to House Bill No. 325.

Which motion prevailed.

And the amendments were adopted.

Mr. Aaker moved

That House Bill No. 325 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

Was read the third time.

The question being on the final passage of the bill as amended by the senate.

The roll was called and there were: ayes, 87; nays, 1; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—

Aaker
Adams
Anderson, Grand F'rks
Anderson, Bernt
Anderson, O. P. N.
Andrus
Blake
Blegen
Brodie
Brotnov
Burdick
Burgum
Buttz

Messrs.—

Giedt
Graham
Grant
Griffith
Halaas
Hallick
Hanawalt
Hankinson
Hanson
Haugen
Hemmingsen
Hosford
Jensen

Messrs.—

Murphy
Nelson of Steele
Nelson of Traill
Parkhill
Peake
Piper
Plath
Pugh
Purdon
Putnam
Restemayer
Rose of Dickey
Schlenker

Messrs.—	Messrs.—	Messrs.—
Carter	Johnson of Pembina	Simpson
Casey	Johnson of Sargent	Sinclair
Chapman	Johnson of Ward	Sorley of Grand Forks
Church	Jones of Barnes	Sorlie of Traill
Collins	Jones of Ransom	Stavens
Connolly	Law	Steen
Crawford	Martin of Morton	Stevens
Cunningham	Martin of Billings	Storey
Dean	Mathews	Streeter
Dibley	McDowall	Swendseid
Duncan	Midgarden	Syverson
Flamer	Miller	Treat
Freeman	Mockler	Ueland
Ganssle	Monek	Watts
Garden	Moore	Welford
Gibbens	Morin	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elhard	Shannafelt	Wake
Evans	Thoreson	Walker
Oveson	Tofsrud	Wedge
Shirley	Tufte	White

Mr. Rohs of Morton voting in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Miller moved

That the vote by which House Bill No. 325 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Miller moved

That the house do concur in the senate amendments to House Bill No. 150.

Which motion prevailed.

And the amendments were adopted.

Mr. Miller moved

That House Bill No. 150 be placed upon its third reading and final passage as amended.

Which motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 278,

A bill for an act to fix the number of the senate and rep-

representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Which the senate has passed as amended by the conference committee.

Very respectfully,

J. W. FOLEY,
Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 338,

A bill for an act authorizing the secretary of state on the approval of the governor to receive and receipt to the United States surveyor general of the district of North Dakota for all the field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as the government may direct to be turned over to the state when all of the public surveys of the state of North Dakota shall have been completed.

Which the senate has passed unchanged.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Which the senate has amended as follows:

On page 2 of the engrossed bill, in line 1, after the word "of" strike out the words "seven thousand five hundred" and insert the words "six thousand."

On lines 5 and 6, page 2, of the engrossed bill strike out the words "seventeen thousand five hundred" and insert in lieu thereof "twelve thousand."

Strike out the words "to be ascertained as hereinafter provided" in three places where it appears in engrossed bill.

Also strike out the words "Such population shall be ascertained by taking the total number of votes cast for the office of governor at the last presi-

dential election in said county multiply the same by five," where the same appears in engrossed bill.

And passed as amended.

Very respectfully,

J. W. FOLEY,
Secretary.

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Was read the third time.

The question being on the final passage of the bill as amended by the senate

The roll was called and there were: ayes, 93; absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Piper
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Plath
Anderson, Bernt	Hallick	Pugh
Anderson, O. P. N.	Hanawalt	Purdon
Andrus	Hankinson	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Chapman	Jones of Ransom	Steen
Church	Law	Stevens
Collins	Martin of Morton	Storey
Connolly	Martin of Billings	Streeter
Crawford	Mathews	Swendseid
Cunningham	McDowall	Syverson
Dean	Midgarden	Thoreson
Dibley	Miller	Treat
Duncan	Mockler	Ueland
Elhard	Monek	Wake
Evans	Moore	Walker
Flamer	Morin	Watts
Ganssle	Murphy	Wedge
Garden	Nelson of Steele	White
Gibbens	Nelson of Traill	Mr. Speaker
Giedt	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Freeman	Shannafelt	Tufte
Halaas	Shirley	Welford
Oveson	Tofsrud	

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Haugen moved

That the vote by which House Bill No. 150 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Dean moved

That the house do concur in the senate amendments to House Bill No. 107.

Which motion prevailed.

And the amendments were adopted.

Mr. Dean moved

That House Bill No. 107 be placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 107,

A bill for an act to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were: ayes, 89; nays, 2; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Graham	Parkhill
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Plath
Anderson, O. P. N.	Hallick	Pugh
Andrus	Hanawalt	Purdon
Blake	Hankinson	Putnam
Blegen	Hanson	Restemayer
Brodie	Haugen	Rohs of Morton
Brotnov	Hemmingsen	Rose of Dickey
Burdick	Hosford	Schlenker
Burgum	Jensen	Simpson
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Sargent	Sorley of Grand Forks
Casey	Johnson of Ward	Sorlie of Trail
Chapman	Jones of Barnes	Stavens
Church	Jones of Ransom	Steen
Collins	Law	Stevens
Connolly	Martin of Morton	Storey
Crawford	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dean	McDowall	Syvertson
Dibley	Midgarden	Tofsrud
Duncan	Miller	Treat
Evans	Mockler	Ueland

Messrs.—

Freeman
Ganssle
Garden
Gibbens
Giedt

Messrs.—

Moore
Morin
Murphy
Nelson of Traill
Oveson

Messrs.—

Walker
Watts
Wedge
Mr. Speaker

Absent and not voting:

Messrs.—

Elhard
Flamer
Shannafelt

Messrs.—

Shirley
Thoreson
Tufte

Messrs.—

Wake
Welford
White

Messrs. Shannafelt, Shirley and Tufte being excused.

Messrs. Monek and Nelson of Steele voted in the negative.

So the bill passed and the title was agreed to.

Mr. Collins moved

That the vote by which House Bill No. 107 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 298,

A bill for an act requiring each county officer who receives from any county a stated salary of not less than \$2,000 per annum, to keep a record of the fees received by him as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect the fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Was read the third time.

Mr. Treat moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Stevens moved

That the vote by which Senate Bill No. 298 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

HOUSE COMMITTEE ON ENROLLMENT.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Also,

House Bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Also,

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Also,

House Bill No. 292,

A bill for an act to amend section 9202 of chapter 50 of the Revised Codes of 1905 for the state of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised

Codes of 1905, relating to the appointment and qualification of the state examiner.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 79; nays, 2; absent and not voting, 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Gibbens	Morin
Adams	Graham	Nelson of Traill
Anderson, Grand F'rks	Grant	Oveson
Anderson, Bernt	Griffith	Parkhill
Anderson, O. P. N.	Halaas	Peake
Andrus	Hanawalt	Piper
Blake	Hankinson	Pugh
Blegen	Hanson	Purdon
Brodie	Haugen	Putnam
Brotnov	Hemmingsen	Restemayer
Burdick	Hosford	Rohs of Morton
Burgum	Jensen	Schlenker
Buttz	Johnson of Pembina	Sinclair
Carter	Johnson of Sargent	Sorley of Grand Forks
Chapman	Johnson of Ward	Sorlie of Traill
Church	Jones of Barnes	Stavens
Collins	Jones of Ransom	Steen
Connolly	Law	Stevens
Crawford	Martin of Morton	Storey
Cunningham	Martin of Billings	Streeter
Dean	Mathews	Syvertson
Dibley	McDowall	Tofsrud
Duncan	Midgarden	Treat
Elhard	Miller	Ueland
Freeman	Mockler	Walker
Ganssle	Monek	Mr. Speaker
Garden	Moore	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Casey	Plath	Thoreson
Evans	Rose of Dickey	Tufte
Flamer	Shannafelt	Wake
Giedt	Shirley	Watts
Hallick	Swendseid	Wedge
Murphy		White
Nelson of Steele		

Messrs. Simpson and Welford voted in the negative.

Messrs. Shannafelt, Shirley and Tufte being excused.

So the bill passed and the title was agreed to.

Mr. Burgum moved

That the vote by which Senate Bill No. 113 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign:

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been canceled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Also,

House Bill No. 292,

A bill for an act authorizing the board of county commissioners to appoint a board of visitors whose duty it shall be to visit county asylums or poor farms and make report thereon.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Also,

House Bill No. 149,

A bill for an act to amend section 4466 of the Revised Codes of 1905, relating to annual statements of insurance companies.

Also,

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Also,

Senate Bill No. 114,

A bill for an act entitled, An act to amend section 10,381 disposing of the product of the state binder twine plant and prescribing duties of accounting officer."

Senate Bill No. 127,

A bill for an act entitled: An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home engaged in the discharge of official duties.

Also,

Senate Bill No. 163,

A bill for an act to amend sections 747, 778, 799, 819,

836, 847, 879. 892. 912 of the Revised Codes of 1905, relating to education.

Also,

Senate Bill No. 289,

A bill for an act to amend section 2231 of the Revised Codes of North Dakota for 1905, relating to abstractors of title—bonds to be given.

And a concurrent resolution relating to the purchase, development and preservation of the Lincoln farm in the state of Kentucky.

And the speaker signed the same in the presence of the house.

Senate Bill No. 325,

A bill for an act amending and re-enacting section 2592 of the Revised Codes of 1905, relating to salary of county auditors.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were: ayes, 84; nays, 8; absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Plath
Anderson, Grand F'rks	Griffith	Pugh
Anderson, Bernt	Halaas	Purdon
Andrus	Hallick	Putnam
Blake	Hanson	Restemayer
Blegen	Haugen	Rohs of Morton
Brodie	Hemmingsen	Rose of Dickey
Brotnov	Hosford	Schlenker
Burdick	Jensen	Simpson
Burgum	Johnson of Pembina	Sinclair
Buttz	Johnson of Sargent	Sorley of Grand Forks
Carter	Johnson of Ward	Sorlie of Traill
Casey	Jones of Barnes	Stavens
Church	Law	Steen
Collins	Martin of Morton	Stevens
Crawford	Martin of Billings	Streeter
Cunningham	Mathews	Swendseid
Dean	McDowall	Syvertson
Dibley	Miller	Thoreson
Duncan	Mockler	Tofsrud
Elhard	Monek	Treat
Evans	Moore	Ueland
Flamer	Morin	Wake
Freeman	Murphy	Watts
Ganssle	Nelson of Steele	Wedge
Garden	Oveson	Welford
Gibbens	Peake	White
Giedt	Piper	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Hanawalt	Storey
Connolly	Midgarden	Walker
Grant	Nelson of Traill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Jones of Ransom	Shirley
Chapman	Parkhill	Tufte
Hankinson	Shannafelt	

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Casey moved

That the vote by which Senate Bill No. 325 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 236,

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.

Was read the third time.

Mr. Johnson of Ward moved

To amend the bill by striking out all of section 3.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended,

The roll was called and there were: ayes, 37; nays, 11; absent and not voting, 52, present and not voting 1.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Peake
Anderson, Grand F'rks	Halaas	Pugh
Andrus	Hanawalt	Rohs of Morton
Blegen	Hankinson	Schlenker
Brodie	Johnson of Ward	Sinclair
Brotnov	Jones of Barnes	Sorlie of Trail
Burdick	Law	Steen
Buttz	Martin of Morton	Storey
Carter	Martin of Billings	Streeter
Church	Miller	Swendseid
Freeman	Mockler	Syvertson
Garden	Nelson of Trail	Mr. Speaker
Giedt		

Those who voted in the negative were :

Messrs.—	Messrs.—	Messrs.—
Anderson, O. P. N.	Grant	Midgarden
Connolly	Hallick	Restemayer
Dean	Haugen	Stevens
Duncan	Johnson of Pembina	

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Aaker	Hemmingsen	Rose of Dickey
Anderson, Bernt	Hosford	Shannafelt
Blake	Jensen	Simpson
Burgum	Johnson of Sargent	Sorley of Grand Forks
Casey	Jones of Ransom	Shirley
Chapman	Mathews	Stavens
Collins	McDowall	Thoreson
Crawford	Monek	Tofsrud
Cunningham	Moore	Treat
Dibley	Murphy	Tufte
Elhard	Nelson of Steele	Ueland
Evans	Oveson	Wake
Flamer	Parkhill	Walker
Ganssle	Piper	Watts
Gibbens	Plath	Wedge
Griffith	Purdon	Welford
Hanson	Putnam	White

Messrs. Shannafelt, Shirley and Tufte being excused.

Mr. Morin passed.

So the bill was lost.

Mr. Stevens moved

That the vote by which Senate Bill No. 236 was lost be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Johnson of Ward moved

That the house do concur in the senate amendments to House Bill No. 281.

Which motion prevailed.

And the amendments were adopted.

Mr. Johnson of Ward moved

That House Bill No. 281 be placed upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 41 being placed upon its third reading, Mr. Ueland moved a point of order against any consideration of the bill on the ground that a bill having already been passed on this subject this bill would not be in order as it would conflict with the one already passed.

The question being upon the point of order stated by Mr.

Ueland, the speaker ruled that the point of order was well taken.

Mr. White appealed from the decision of the chair.
The motion being: "Shall the decision of the chair be sustained?"

The motion prevailed and the decision of the chair was sustained.

Mr. Stevens moved

That the house take a recess until 7:30 o'clock this evening.

Which motion prevailed.

And the house took a recess until 7:30 o'clock this evening.

AFTER RECESS.

There being no objections

Mr. Sorley of Grand Forks moved

That the vote by which Senate Bill No. 307 was passed be reconsidered.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

To recall Senate Bill No. 307 from the senate.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That Senate Bill No. 307 be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were: ayes, 72; nays, 3; absent and not voting, 25.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Hanawalt	Restemayer
Anderson, Grand F'rks	Hanson	Rohs of Morton
Anderson, O. P. N.	Haugen	Rose of Dickey
Andrus	Hemmingsen	Simpson
Blake	Hosford	Sorley of Grand Forks
Blegen	Jensen	Plath
Burgum	Johnson of Pembina	Pugh
Carter	Johnson of Sargent	Purdon
Casey	Johnson of Ward	Piper
Chapman	Jones of Ransom	Stavens
Church	Law	Stevens
Collins	Martin of Morton	Storey
Connolly	Mathews	Streeter
Crawford	McDowall	Swendseid
Cunningham	Midgarden	Syverson
Elhard	Miller	Thoreson
Evans	Mockler	Treat
Flamer	Monek	Ueland
Freeman	Moore	Wake
Garden	Morin	Walker
Gibbens	Murphy	Watts
Grant	Nelson of Steele	Wedge
Griffith	Nelson of Trail	Welford
Hallick	Peake	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brotnov	Dean	Sorlie of Trail

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Adams	Graham	Schlenker
Anderson, Bernt	Halaas	Shannafelt
Brodie	Hankinson	Sinclair
Burdick	Jones of Barnes	Shirley
Buttz	Martin of Billings	Steen
Dibley	Oveson	Tofsrud
Duncan	Parkhill	Tufte
Ganssle	Putnam	White
Giedt		

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Johnson of Ward moved

That the vote by which House Bill No. 281 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Sorley of Grand Forks moved

That the house do concur in the senate amendments to House Bill No. 243.

Which motion prevailed, and

The amendments were adopted.

Mr. Sorley of Grand Forks moved

That House Bill No. 243 be placed on its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were: ayes, 86; nays, none; absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Adams	Grant	Peake
Anderson, Grand F'rks	Griffith	Piper
Anderson, Bernt	Halaas	Purdon
Anderson, O. P. N.	Hallick	Putnam
Andrus	Hanawalt	Restemayer
Blake	Hanson	Rohs of Morton
Blegen	Haugen	Rose of Dickey
Brodie	Hemmingsen	Simpson
Brotnov	Hosford	Sinclair
Burdick	Jensen	Sorley of Grand Forks
Burgum	Johnson of Pembina	Sorlie of Traill
Buttz	Johnson of Sargent	Stavens
Carter	Johnson of Ward	Steen
Chapman	Jones of Barnes	Stevens
Church	Jones of Ransom	Storey
Collins	Law	Streeter
Connolly	Martin of Morton	Swendseid
Crawford	Mathews	Syvertson
Cunningham	McDowall	Thoreson
Dean	Midgarden	Tofsrud
Dibley	Miller	Treat
Duncan	Mockler	Ueland
Evans	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Murphy	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Nelson of Traill	Mr. Speaker
Giedt	Parkhill	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aaker	Martin of Billings	Shannafelt
Casey	Oveson	Shirley
Elhard	Plath	Tufte
Graham	Pugh	White
Hankinson	Schlenker	

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 243 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Senate Bill No. 311,

A bill for an act to prohibit discrimination between different sections, communities or localities; unfair competition, and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 89; nays, none; absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Grant	Plath
Adams	Griffith	Pugh
Anderson, Grand F'rks	Halaas	Purdon
Anderson, Bernt	Hallick	Putnam
Anderson, O. P. N.	Hanawalt	Restemayer
Andrus	Hanson	Rohs of Morton
Blake	Haugen	Rose of Dickey
Blegen	Hemmingsen	Schlenker
Brodie	Hosford	Simpson
Brotnov	Jensen	Sinclair
Burdick	Johnson of Pembina	Sorley of Grand Forks
Burgum	Johnson of Sargent	Sorlie of Traill
Buttz	Johnson of Ward	Stavens
Carter	Jones of Barnes	Steen
Casey	Jones of Ransom	Stevens
Chapman	Law	Storey
Church	Martin of Morton	Streeter
Collins	Martin of Billings	Swendseid
Connolly	McDowall	Syvertson
Crawford	Midgarden	Thoreson
Cunningham	Miller	Tofsrud
Dean	Mockler	Ueland
Dibley	Monek	Wake
Flamer	Moore	Walker
Freeman	Morin	Watts
Ganssle	Murphy	Wedge
Garden	Nelson of Steele	Welford
Gibbens	Nelson of Traill	White
Giedt	Peake	Mr. Speaker
Graham	Piper	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Mathews	Shirley
Elhard	Oveson	Treat
Evans	Parkhill	Tufte
Hankinson	Shannafelt	

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Blegen moved

That the vote by which Senate Bill No. 311 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

Mr. Rose of Dickey moved

That the house do concur in the senate amendments to House Bill No. 343.

Which motion prevailed, and

The amendments were adopted.

Mr. Rose of Dickey moved

That House Bill No. 343 be placed upon its third reading and final passage.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Also,

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Also,

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Also,

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Also,

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

Also,

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Also,

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Also,
House Bill No. 288,
A bill for an act to amend section 434 of the Political Code.

Also,
House Bill No. 312,
A bill for an act to regulate telegraph service within the state.

Also,
House Bill No. 169,
A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved
That the report be adopted
Which motion prevailed, and
And the report was adopted.

House bill No. 343,
A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were: ayes, 89; nays, none; absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aaker	Giedt	Peake
Adams	Graham	Piper
Anderson, Grand F'rks	Grant	Plath
Anderson, Bernt	Griffith	Pugh
Anderson, O. P. N.	Halaas	Purdon
Andrus	Hanawalt	Putnam
Blake	Hank'nson	Restemayer
Blegen	Hanson	Rohs of Morton
Brodie	Haugen	Rose of Dickey
Brotnov	Hemmingsen	Schlenker
Burdick	Hosford	Simpson
Burgum	Jensen	Sinclair
Buttz	Johnson of Pembina	Sorley of Grand Forks
Carter	Johnson of Sargent	Sorlie of Traill
Casey	Johnson of Ward	Stavens
Chapman	Jones of Barnes	Steen
Church	Jones of Ransom	Stevens
Collins	Law	Storey

Messrs.—

Connolly
Crawford
Cunningham
Dean
Dibley
Elhard
Evans
Flamer
Freeman
Ganssle
Garden
Gibbens

Messrs.—

Martin of Morton
Martin of Billings
McDowall
Midgarden
Miller
Mockler
Monek
Moore
Morin
Murphy
Nelson of Steele
Parkhill

Messrs.—

Streeter
Swendseid
Syvertson
Tofsrud
Ueland
Wake
Walker
Watts
Wedge
Welford
Mr. Speaker

Absent and not voting:

Messrs.—

Duncan
Hallick
Mathews
Nelson of Traill

Messrs.—

Oveson
Shannafelt
Shirley
Thoreson

Messrs.—

Treat
Tufte
White

Messrs. Shannafelt, Shirley and Tufte being excused.
So the bill passed and the title was agreed to.

Mr. Rose of Dickey moved

That the vote by which House Bill No. 343 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

The chief clerk announced that the speaker was about to sign:

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the Political Code of the state of North Dakota, Revised Codes of North Dakota of 1905, relating to drains.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Also,

House Bill No. 301,

A bill for an act to amend sections 926, 928 and 935 of the Revised Codes of North Dakota, 1905, relating to depositors of school funds.

Also,

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the Revised Codes of the state of North Dakota of 1905, relating to the powers of electors and supervisors in organized townships.

Also,

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Also,

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

Also,

House bill No. 53,

A bill for an act to amend section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personalty.

Also,

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised Codes of 1905, providing for the enumeration of children of school age.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Also,

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code of the Revised Codes of 1905.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Also,

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Also,

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

And the speaker signed the same in the presence of the house.

Mr. Sorley of Grand Forks moved

That the house do concur in the senate amendments to House Bill No. 345.

Which motion prevailed and

The amendments were adopted.

Mr. Sorley of Grand Forks moved

That House Bill No. 345 be placed upon its third reading and final passage.

Which motion prevailed.

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were: ayes, 90; nays, none; absent and not voting, 10.

Those who voted in the affirmative were:

Messrs.—

Aaker

Adams

Anderson, Grand F'rks

Messrs.—

Gibbens

Giedt

Graham

Messrs.—

Nelson of Steele

Nelson of Traill

Oveson

Messrs.—

Anderson, Bernt
 Anderson, O. P. N.
 Andrus
 Blake
 Blegen
 Brodie
 Brotnov
 Burdick
 Burgum
 Buttz
 Carter
 Casey
 Chapman
 Church
 Collins
 Connolly
 Crawford
 Cunningham
 Dean
 Dibley
 Duncan
 Elhard
 Evans
 Flamer
 Freeman
 Ganssle
 Garden

Messrs.—

Grant
 Griffith
 Halaas
 Hallick
 Hanawalt
 Hanson
 Haugen
 Hemmingsen
 Hosford
 Jensen
 Johnson of Pembina
 Johnson of Sargent
 Johnson of Ward
 Jones of Barnes
 Jones of Ransom
 Law
 Martin of Morton
 Martin of Billings
 Mathews
 McDowall
 Midgarden
 Miller
 Mockler
 Monek
 Moore
 Morin
 Murphy

Messrs.—

Piper
 Plath
 Pugh
 Purdon
 Putnam
 Restemayer
 Rohs of Morton
 Rose of Dickey
 Simpson
 Sinclair
 Sorley of Grand Forks
 Sorlie of Traill
 Stavens
 Steen
 Stevens
 Storey
 Streeter
 Swendseid
 Syvertson
 Thoreson
 Tofsrud
 Ueland
 Wake
 Walker
 Watts
 Wedge
 Mr. Speaker

Absent and not voting:

Messrs.—

Hankinson
 Parkhill
 Peake
 Schlenker

Messrs.—

Shannafelt
 Shirley
 Treat

Messrs.—

Tufte
 Welford
 White

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 345 passed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

REPORT OF SPECIAL COMMITTEE.

In pursuance of a resolution adopted by the house, the undersigned committee was appointed for the purpose of investigating the conditions that prevailed in various parts of the state during the winter regarding the reported fuel and food famine, and beg leave to make the following report:

We have had a fair opportunity to ascertain the facts from a large portion of the state, from persons who are residents thereof and conversant with the conditions that existed in their respective localities.

It is the general verdict that the people were more badly scared than injured, and complained when there was little occasion for making complaints.

We have the statements of a large number of stockmen, and the universal verdict is that their stock has come through the winter better than during the average year in this state; cattle and horses looked fine, and in remarkable good condition.

It is the testimony of many of these stockmen that they know of no deaths by freezing in their localities, and very few instances of scarcity of fuel. They also report that cattle, horses and sheep grazed through the greater part of the winter, and that there have been no losses in the sheep line—the tenderest of all live stock.

We also find that the rural routes were kept open, and that the mails were regularly delivered.

We know of no instances where the public schools were closed for the want of fuel.

The general verdict is: if there was any suffering whatever it was with that class of people who would not even carry in coal if it was near their doors; as it was stated by more than one individual, the people of this state are too prosperous and gave very little heed to the laying in of supplies of fuel for the winter.

The congested conditions of the railroads were due, to a great extent, to the enormous crops produced last year; the crops for the last few years have been so large that it has created a larger demand for railroad facilities than the railroads could get cars to move it.

The weather bureau report shows that the snowfall for the entire state averaged about twelve inches, and this was nearly all melted before the end of February.

From reports received from the northwestern portion of the state, where there are practically no railroads, the people suffered very little, and there were no reports of deaths, either from the lack of fuel or food, and live stock never was in better condition at the present season of the year. One individual stated that in a drive of forty miles across the prairie he saw eight herds of horses which showed fine condition, and believed the poorest one in the lot could not have been caught by the fleetest-footed, well-kept horse in the state of Illinois. He said that, while admitting that we have had a cold winter, were it not for the grossly exaggerated reports published in the eastern papers

we would have forgotten weeks ago that the thermometer registered below zero.

Another gentleman who was before us stated that there was enough coal in our state to heat all the houses in the state and all the houses in the United States during the time our children's children should live and then there would be plenty of coal left in North Dakota to supply all its demands. In speaking of the conditions that prevailed during the recent winter the consensus of opinion was that North Dakota absolutely needed no defense; that nowhere could more money be made than in North Dakota and that you could never stop the people from coming into our state because we are a purely agricultural state and it is the only land left in the Union that will produce a crop at all times.

We find that people with malicious intent have magnified the conditions that existed during the past winter for selfish interests and purposes. We also find that many irresponsible reporters for eastern newspapers have magnified small instances into mountains of falsehood for the purpose of producing sensational stories and getting them accepted and paid for. We find that people who have become envious of the progress and development of the state of North Dakota have aided and abetted in producing and circulating malicious stories detrimental to the interests of North Dakota. We also find that some of our state newspapers have published stories prompted by pique and a feeling of uncertainty, and these stories have found their way eastward to be magnified by people who wish to stay the tide of immigration that is coming to North Dakota. We find even at this late date when railroads are open for navigation and fuel is in abundance that the eastern newspapers and others who are directly opposed to the best interests of North Dakota are giving publicity to these false stories and malicious reports.

The branch lines of the railroads are now opened up and the farmers are coming into the different towns. From them it is learned that the fuel situation was not nearly so great as was reported. It develops that a scarcity of fuel only existed in isolated sections and this was due largely to the carelessness and indifference of the people in not preparing for winter. These people, however, are not censurable for this neglect, because the winters of the past have been such as to require no unnecessary precau-

tion to be taken or any great quantity of fuel be provided for winter uses.

From reports received, farmers are now preparing for their spring work and the general conclusion is that the heavy fall of snow during the winter will prove a blessing rather than a detriment. The snow is rapidly disappearing into the soil, supplying plenty of moisture, which will place it in excellent condition to produce a bountiful crop. It may be that there will be some water stand in the depressions, but these will be drained when the spring plowing begins which will be probably earlier this year than for many years past. The fact is that with a few exceptions the people of North Dakota have been free from suffering or hardships and the entire state will be benefitted by the winter's heavy snow.

This winter's scare, for such it really was, will successfully teach the people of this state the necessity of making preparation for the winter months and to guard against the recurrence of a fuel shortage, though it is extremely doubtful if such a condition will ever exist again. The people of this state have heretofore been so bountifully supplied with fuel and the winters have been so mild that they became careless, seeing no necessity for laying in a supply of this necessary article, depending upon the local dealers for any demands they might make upon them at any given time during the winter.

The past winter has taught the inhabitants of North Dakota the necessity of following the example and custom of the people of eastern states, who every fall fill their coal bins with a sufficient quantity of fuel to last through the entire winter. This important duty has been overlooked by our people, who have been for so many years basking in the sunshine of pleasant winters, and had grown to think that North Dakota was a veritable "banana belt."

The report of the United States weather bureau for January states that the precipitation for that month, which consisted wholly of snow, averaged 1.40 inches for the state. The average snowfall for the section was 14.5 inches. The mean temperature for January, which was the coldest month in this state for the past sixteen years, was 6.2 degrees, or 13.5 degrees below the normal, and 18.4 degrees lower than the mean for January, 1906.

We desire to epitomize the result of our investigation in the following manner:

RESOLUTIONS.

Whereas, gross and misleading statements have been published in eastern newspapers regarding conditions that prevailed in North Dakota; and

Whereas, while it is known that this has been one of the severest winters that has visited the United States for many years; and

Whereas, this winter has been equally as severe in other states as in North Dakota; and

Whereas, notwithstanding these conditions, North Dakota has escaped with very little suffering from either scarcity of fuel or cold, and none from the lack of food; and

Whereas, from reliable reports received from different sections of the state, it appears that the greatest suffering the people of North Dakota have endured came from the false and sensational reports circulated in the eastern states; and

Whereas, it is true that our people were more scared than injured, and are today making light of the matter in view of the fact that they are all enjoying health and sunshine, supplied with all that makes life pleasant and their live stock has come through the winter in splendid form with a minimum loss; and

Whereas, the prosperity of the people of this state has been so extensive and unparalleled that our people were so intent on accumulating wealth that they neglected to prepare for winter; and

Whereas, the present winter, while severe, was of short duration, and in reality only extended over a period of forty days; and

Whereas, from investigation and reports received the loss of life and suffering was in fact reduced to the minimum; and

Whereas, while the conditions have been unfavorable for railroading, yet we believe the railroads have done all in their power to accommodate the public, and untiring in their efforts to supply the wants of the people and move the immense products of the soil; and

Whereas, the Minneapolis Tribune and Minneapolis Journal and the Commercial West have generously extended the use of their columns to our people to set forth the actual conditions which prevailed in this state during the winter, and have expressed a willingness to correct the many false and sensational stories which have been circulated in the east; and

Whereas, North Dakota has suffered less from loss of life by freezing, from epidemical diseases, during 1906-07 than many eastern states, and its death rate has been less than in any state in the Union; and

Whereas, North Dakota has made pro rata greater progress in wealth and population than any state in the west during the past five years; and

Whereas, North Dakota has coal mines, if operated, sufficient to supply the entire people of the United States with fuel for years; therefore, be it

Resolved, that North Dakota needs no defense; that in the magnitude of its new investments; in the increase of wealth; in the creation of new cities and towns; in the development of its commercial interests; in the industrial progress made; in the rapid and unparalleled immigration to this fertile state during the past five years, and which will continue to come, makes it stand without a peer in the United States. Be it further

Resolved, that we are proud of our state, and the certainty of its brilliant future, and at no time in its history have we had greater confidence in its future growth and prosperity than at the present time.

Resolved, that the thanks of the people of North Dakota are extended to the Minneapolis Tribune, Minneapolis Journal and the Commercial West for their liberal offers.

D. R. STREETER,
F. B. CHAPMAN,
T. D. CASEY.

Mr. Streeter moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee appointed in pursuance of a motion passed by the house of representatives of this state on February 27, 1907, which motion was made immediately subsequent to the reading in the house of the following report:

Mr. Speaker:

We, Laura Connor and Florence Connolly, stenographers for the House of Representatives, beg leave to inform you and report to the house that the notes taken by us by order of the speaker, covering the conversation, questions asked and answered on the evening of February 27, 1907, in connection with the investigation and receiving of the report from the railroad commissioners, have been taken from our desks.

On February 26th we transcribed from our notes the greater portion of the facts contained in our notes. The portion transcribed, together with our note books were placed by us in our desk where it is usual to keep our notes. We discovered in the morning of the 27th that all of the transcribed matter and all of the books which contained any matter in relation to this investigation to have been taken from our desks. No other papers or note books being taken.

We are, therefore, unable to furnish to the house a report of any part of the transactions at that meeting which was contained in our notes. While we very much regret this, we feel that we used ordinary precaution in the care of said notes and no blame should attach to us.

Respectfully submitted,

FLORENCE CONNOLLY,
LAURA CONNOR.

Beg leave leave to report that we have given this matter as full and thorough an investigation as the time at our disposal would permit; that we were unable to locate the missing documents or obtain any clue as to their whereabouts or the manner of their removal or disappearance from the table of the stenographers. We are fully satisfied from the investigation we have made that the stenogra-

phers who had the note books and transcript in charge used all ordinary business precaution for their preservation and safe keeping and are in no way to blame for the disappearance of these documents.

Your committee carefully examined copies of published reports of the proceedings had at the session of this house on the evening of February 25, 1907, and have eliminated therefrom any matter which in our opinion indicated bias or misrepresentation, and herewith submit the following, which we believe to be a true and fair report:

PROCEEDINGS OF THE NORTH DAKOTA HOUSE
OF REPRESENTATIVES, MONDAY EVEN-
ING, FEBRUARY 25, 1907.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

The house assembled at 8:30 p. m.

Mr. Ueland called to the chair.

The chief clerk read the following resolution adopted by the house on Wednesday, February 20, 1907:

WHEREAS, A resolution was adopted by this house requiring the members of the board of railroad commissioners to appear before this house and furnish information as to what laws should be enacted to vest them with proper power to regulate common carriers, and to inform this body what has been done by said board in establishing a schedule of rates for the transportation of freights, and

WHEREAS, It is important that this house should secure such information as soon as possible so that it can have sufficient time to enact any laws that may be suggested by said board of railroad commissioners. Be it therefore

Resolved, That each of the members of said board of railroad commissioners and the secretary thereof be and they are hereby required to appear before this house on the 23d day of February, 1907, at eight o'clock p. m., to furnish such information, and they are also required to produce at said time all the books and records of their office. Be it further

Resolved, That the chief clerk and sergeant at arms are hereby authorized and directed to serve a copy of this resolution upon each of the members of said board, and the secretary thereof, who may be found in the city of Bismarck, and to telephone and telegraph the contents thereof to each of the members that may not be within said city, and to leave a copy of this resolution at the office of the said board in the city of Bismarck.

Mr. Garden moved the adoption of the resolution.

Which motion prevailed, and

The resolution was adopted.

The Chair: It will be proper for the commissioners to be heard at this time; Mr. Diesem.

Chairman Diesem: Mr. Chairman, the members of the board are present in response to your request. The sec-

retary of the board is unable to be present on account of illness in his family, and also his assistant, which makes it impossible to leave his bank at Ashley. We have presented a report, however, which I ask to have read.

The report was read by the chief clerk (see house journal of February 25; page 51).

Mr. J. A. Sorley: Mr. Chairman, I desire to ask the chairman of the board of railroad commissioners a few questions concerning its report.

Mr. Deisem: All the information the commission has is presented in the report, just read, and I have nothing further to state at this time.

Speaker Twichell: Does the chairman of the board of railroad commissioners refuse to respond to questions asked by the house of representatives of the state of North Dakota?

(No response.)

Will he accept the invitation?

(No response.)

Will you refuse to answer questions for which this house asked you to come before it this evening?

Mr. Streeter: That is putting it too strong. I don't know whether the gentleman from Cass county or anyone else can bulldoze anyone in this way. Under the resolution the commissioners were not obliged to answer and I do not propose to sit here and have you make monkeys of the railroad commissioners in this way. You have apparently brought these gentlemen here for the purpose of making sport of them.

Mr. Garden: I want to ask a question. We want some data to base some legislation on. We could not frame some desirable laws because of required data. We want to know as to the earnings and receipts and operating expenses of the railroads. If we had these figures we could have something to base railroad legislation on. If there is anyone who could give us these figures I think it is the railway commissioners.

Mr. Sorley: I asked for information in good faith, but as the chairman of the commission declines to give it I don't want to force him.

Mr. Buttz: Hearing the reading of the report satisfies me and I believe the commissioners are doing their duty. They have made a much better showing of their work than I believed they could make. The gentleman over in the

east part of the house has asked for some figures. That's a vital question that ought to be settled. You have been pounding away at the railroads for almost sixty days; pounding them without knowing what you were doing. Now you raise the vital question you ought to have raised before. You ought to give the railroads a hearing.

Mr. Burgum: I never heard of any railroad company or anyone else that ever asked for a hearing before this house and did not receive it. It is a well known fact that the railroads were represented by two of their best attorneys who appeared before the house railroad committee and addressed it at length on the legislation before the house.

Mr. Buttz: If that is the case I never heard of it and it seems to me the railroad committee kept mighty quiet about it. They never made any such report.

Mr. White: Is it a usual thing for railroad committees to report to the house as to persons who appear before them?

Mr. Sorley: Just one question. Is there any measure we can take to have the information we asked for brought before this house?

Mr. Garden: There is a section of the state code which provides that the board of railway commissioners shall furnish this legislature the very figures we need, before the first Monday in December. I would ask the clerk to read section 4364 of the Revised Codes.

(Clerk reads section 4364, 1905 codes.)

Mr. Streeter: I don't know what object there can be in all this. It seems mighty strange to me that there is no other way to find out what we want to know than to bring a respected, venerable gray-haired man up before this house in this manner and try to confuse and annoy him and make a monkey of him. In Minnesota they have a live railway commission I know, but they pay the commissioners salary enough to make it worth their while to do something. We have never expected it from our commission and it is not right that we should begin now in this insulting manner.

Mr. Twichell: Did the commission do any better when we paid them a salary of \$2,000 a year?

Mr. Streeter: I don't know that they did. But that is no reason why we should bring these men here to insult them or make monkeys of them. The thing for you to do

is to pay them a reasonable salary for the work you expect them to do before you begin to ask them such questions. We have never asked it of other commissioners. The railway commission has for years been talked of as a joke, and yet you begin a new deal by bringing an old gentleman up here in this manner and abusing him? Why don't you stick to the letter of the law in other things? There is a section of the constitution which makes it bribery for a member of the legislature to promise anything for a vote, even to supporting another measure in return. I want to ask Mr. Garden if he ever done that?

Mr. Garden: I will say to the gentleman in answer to his question, No; absolutely no.

Mr. Streeter: Well, then, you are an exception. There are members here who are bound up with a dozen different measures.

Mr. Twichell: The commissioners have not been brought here to "make monkeys of them" but we have asked them to come here and give us some information. If they can't do it, it is time for this house to find some way to make them do it. There are some plain duties prescribed in the law for the railway commissioners. I do not say that these gentlemen have not done everything they could do, but there are a few plain questions we want to ask them about their work and they refuse to give the information we ask for. Mr. Streeter nor anyone else has any right to impugn our motives. We simply want to know some things that the commission is duty bound to inform us. The commissioners, for instance, in their report intimate that the railroad law of this state is cumbersome. If that is true they should tell us how and why. They have complained that they could not accomplish more because they didn't have law enough. Now I want to tell you that we have the very best railroad law in the United States. I happened to be a member of the committee that drafted the bill when it was enacted and I remember that we worked almost continuously on it for seventy hours without scarcely taking our clothes off. It was based on and substantially the same as the Iowa law. It had stood the test there and had become the railroad law of the United States, having been adopted by the interstate commerce commission. The original bill was drafted by Governor Larabee of Iowa, one of the greatest authorities on railroad law, and was introduced in the Iowa legislature by Hepburn,

the greatest living authority on rail and rate legislation. And now we want to ask the railroad commission wherein it is wrong.

Mr. Hankinson: The commission has written out a statement which it seems to me answers everything we want to know.

Mr. Twichell: But there are some things they have not told us. Mr. Diesem, will you kindly tell us wherein our law is defective and what changes you want made?

Mr. Diesem: I will refer you to the attorney general.

Mr. Twichell: But we are not asking the attorney general to answer questions for you. The law is mandatory on you. It says for instance that you are to promulgate rates. Didn't you know that?

Mr. Diesem: I didn't know the law said so.

Mr. Twichell: The law says so in the very plainest terms that you are to make freight rates. Have you ever done it?

Mr. Streeter: I would like to know how long you are going to keep up this inquisition; and I do not see what you are gaining by such methods.

Mr. Twichell: The state has power to establish and regulate freight rates and that is one of the things we have a commission for. We want to find out something about it.

Mr. Hankinson: Didn't we establish rates once, and didn't we have a lawsuit over them in Fargo that cost the state several thousand dollars?

Mr. Twichell: No, sir, there never was any lawsuit. Now, then, that the salary is not large enough is no excuse. The gentlemen knew what the salary was when they accepted the office and took an oath to do their duty. I didn't suppose it would be questioned that we had a right to come to them with questions about the work they have undertaken. I would like to renew the invitation, Mr. Diesem; did you know that the law made it mandatory that you should establish freight rates?

Mr. Diesem: I don't believe it is mandatory. If we regard the rates in effect reasonable I don't see how we could make any more reasonable ones, and they ought to be satisfactory.

Mr. Twichell: And you can't recall an instance where the rates were not satisfactory to you? Have you ever issued a mandatory order of any kind?

Mr. Diesem: I don't know that we have.

Have you ever ordered the attorney general to bring suit against the railroads?

(No answer.)

Have the railroads done everything you have asked them to do?

Mr. Diesem: So far as they have been able they have. There have been some unavoidable delays.

Mr. Twichell: We are here to find out what's the matter with the laws and I hope you will tell us what changes you want.

Mr. Buttz: It isn't fair to catechise these men in this way. If there are any more questions to be asked we should have them written out and submitted to them and give them time to submit answers to us.

Mr. Casey: Certain strictures have been made against the house by Mr. Buttz. He wants to know why we don't submit these questions in writing. We are here as business men, on a business proposition for the state, and we should go at it in a business way. I believe we are doing it in just the right way to get at the trouble. These gentlemen may not be to blame but I believe they are capable of coming here and answering simple questions. There is no occasion so far as I know for them to be ashamed to come up here before this house and tell us what they can and as they have several invitations already. We have asked them to bring their books. Have they done so? We have asked for and we are entitled to certain information. If they won't do it it is for us to compel them to or vacate the office. I don't believe they can refuse. So far as we have been able to learn thus far the most work they have done is drawing their salaries. Perhaps we can rectify the trouble by increasing their salaries. If these things have gone on in this way for ten or twelve years that is no reason they should be continued. We might get at it another way by reducing their salaries to one dollar and employing a tax commission to look after the railways as is done in some states.

Mr. Streeter: These gentlemen say they have no other information at this time. Why not appoint a committee of lawyers to investigate and propound questions to them?

Mr. Casey: That is begging the question. A child seven years old can pass an examination as well or answer questions as well as any one. All there is about it the questions should be reasonable. The commissioners should

show this house some respect and should be willing to face this body.

Mr. Sorley: I certainly have been surprised by the actions of the commissioners here tonight. I doubt if there is a man in this room who did not hope to accomplish some good by coming here tonight. When I first came to Bismarck I had it in mind that if our law was not right, or if the railroad commissioners did not do their duty, that the legislature should make the laws right and compel the commissioners to do their duty. I went to the governor's office to look the matter up and found that no report had been filed by the commission as required by the law. I went back to previous reports to see if I could learn something there. But the only recommendations that I could find was that the terms of office should be increased to six years and the salary be increased to two thousand dollars. What are we elected for if not to legislate for the good of the state. Our railroad legislation is one of the most important on the statute and the railroad commissioners should carry out the duties of their office. And in asking this we are not asking too much. When any man insinuates that we are here to make monkeys of the commissioners he knows better. They are shipping coal now from our western mines to Morris, Minn., as cheap as to Wahpeton and the rate to Grand Forks is no less than to Minneapolis. Why can't we ask these commissioners why these inequalities exist. The men who hold these offices have sworn to do their duty. I want to inform myself as to the situation.

Mr. Streeter: You know as well as I do there are stenographers here tonight taking notes of what is being said to make campaign thunder for you in the next campaign. Now, I suggest that if there are any more questions let them be formulated by a committee consisting of Messrs. Twichell, Sorley and Casey, and that they furnish the commissioners the questions in writing and let any member in in the house go before the committee and suggest questions. There are a hundred men here all at sea; you are asking questions that would take two years to answer. I move that a committee of three be named with power to send for persons and papers and investigate this entire matter.

Mr. Rose: Did you make a report as the law required, Mr. Diesem?

Mr. Diesem: We did.

Mr. Rose: If you did was it not printed?

Mr. Diesem: It was not printed in December as the law requires as Governor Sarles would not have it printed, as there was no money in the general printing fund.

Mr. Streeter: I insist on my motion.

(The motion was put and lost.)

Mr. Garden: Do you believe, Mr. Diesem, that the freight rates of North Dakota are just, when they are several times the rates, in some instances, in other states, Mr. Diesem?

Mr. Diesem: I don't know whether they are reasonable or not; I am not a ratemaker. Eminent men who have studied the subject for years declare they are unable to say what are just rates. How can you expect us to with our limited knowledge? If there is any man in the state competent to make such rates I would like to have you name him. Minnesota has three railroad commissioners who are able men; they are lawyers and they devote their entire attention to the office. You ought to have elected lawyers to the office here instead of electing us know nothings or monkeys.

Mr. Twichell: Do you consider our present lignite coal rate reasonable.

Mr. Diesem: I am not competent to say.

Mr. Twichell: And you don't know what local freight rates are reasonable. But it is your business to know or at least to establish such rates as in your judgment are reasonable and let the burden of proving they are not reasonable rest on the railroads.

Mr. Diesem: Mr. Chairman, I appeal to you for protection. It is not fair that you should treat us in this manner. You have been roasting us to a turn all the evening and I will not stand it.

Chairman Ueland: The chair rules that as now constituted and at the present time the house has no authority to compel you to answer questions.

Mr. Diesem: I came here as a courtesy to this house. I do not understand that you have authority to demand these questions of me and yet you have seen fit to pour out abuse and slander upon us.

Mr. Casey: I don't see but that Mr. Diesem is capable of taking care of himself. I think he has been misrepresented. There is always a way and means, and the members of this house have authority under the law to summon

the commissioners and place them under oath and compel them to answer reasonable questions.

Mr. Garden: You have read our resolution asking you to come before this house and bring your books?

Mr. Diesem: Yes.

Mr. Garden: Did you consider that a reasonable request?

Mr. Diesem: I suppose it was. As soon as I received your notice from the secretary who also informed me that if we did not come he would have to issue a summons. I did not want to have to come in response to a summons. My daughter was very ill at the time and I called up Secretary Hommond by 'phone. He told me that his two boys were both sick, and that his cashier was sick and he could not close up his bank and come out but would come as soon as he could but that I could have his resignation. I told him that I did not want his resignation; that I wanted him. But, Mr. Chairman, I insist, I entreat you for protection against these questions. Mr. Casey: "Now you are getting the old man riled up." (At this point Mr. Diesem went into details of the work of the commission substantially as outlined in the written report of the railroad commissioners read earlier in the session.)

Mr. Sorley: Where were the books of your office kept?

They are in possession of the secretary at Ashley; he keeps them in his office at Ashley and carries them back and forth with him when he comes to the meetings of the board.

(Some further questions were asked the chairman of the board of commissioners about the records of his office, etc., of which your committee is unable to make a full report.)

At this point the supplemental report of Commissioner Simon Westby was presented. (See House Journal of February 25; page 57.)

The house thereafter took a recess until Tuesday morning, February 26th.

Respectfully submitted,

A. O. GRAHAM,

T. E. TUFTE,

T. O. BURGUM,

Committee.

Mr. Streeter moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

Mr. Griffith offered the following resolution and moved its adoption:

Resolved, That J. L. Smith and Geo. Fisher, janitors, be allowed one dollar additional to the three dollars per day for 30 days, and the speaker and chief clerk are hereby authorized to sign vouchers in favor of above named employees for the amount herein specified.

Which motion was lost
And the resolution was not adopted.

The speaker called Mr. Sorley of Grand Forks to the chair.

Mr. Wedge offered the following resolution and moved its adoption:

Be it Resolved, That the messenger, R. J. Percy, and assistant messenger, T. J. Hampton, have been to considerable expense transferring the enormous number of house bills from the printing office to the Capitol, therefore,

Be it Resolved, That the speaker and chief clerk are hereby authorized to sign voucher for \$20.00 for said R. J. Percy and T. J. Hampton for to reimburse them for said expense.

Which motion prevailed and
The resolution was adopted.

Mr. Stevens offered the following resolution and moved its adoption:

WHEREAS, This house is about to conclude its labors, and the members thereof will disperse to their several homes with charity for all and with malice towards none, and

WHEREAS, At the opening of this session the Honorable Treadwell Twichell was elected by a majority, but by a divided vote of this house, as its presiding officer, and

WHEREAS, The honorable gentleman has conducted the duties of the position with such eminent fairness and impartiality and with such ability as to make it apparent he is a presiding officer "to the manner born," having exercised the power of his position with that firmness necessary to maintain order, protect the rights of the majority and minority with equal fairness, and with such gentleness as that there remains no single ill-feeling engendered by any act he has done,

Therefore, Be It Resolved, That this house tender to the Honorable Treadwell Twichell their sincere congratulations on his success as their presiding officer, thank him for the many courtesies we have received as individuals at his hands and bid him God speed for the future.

Mr. Streeter moved
That the resolution be adopted by a rising vote.

Which motion was unanimous and the resolution was adopted.

Mr. J. A. Sorley offered the following resolution and moved its adoption:

Resolved, That we hereby extend to Representative Shirley our sincere sympathy in his sickness, and that we earnestly hope and trust that he will speedily recover. We recognize in Mr. Shirley one of the ablest and most faithful and earnest members of this body, and that the loss of his services in this house is a loss to the entire people of this state.

Be It Further Resolved, That this resolution be printed in the journal and that a copy thereof be sent to Mr. Shirley.

Which motion prevailed, and
The resolution was adopted.

Mr. Mockler offered the following resolution and moved its adoption:

Resolved, That the members of the house of representatives of the tenth legislative assembly of the state of North Dakota, hereby express their hearty appreciation of the efficient work done by Miss Laura Connor, Miss Florence Connolly, Mrs. W. F. Cushing and Miss Mable Peterson, members' stenographers of this house.

Which motion prevailed, and
The resolution was adopted.

Mr. Stevens moved

That the resolution offered by him regarding Hon. Treadwell Twichell be enrolled and be presented by the officer now presiding as temporary speaker of the house to the Honorable Treadwell Twichell at the close of this session.

Which motion prevailed.

Mr. Blake offered the following resolution and moved its adoption:

WHEREAS, It has been the common practice of the legislative assembly to permit the introduction of bills (except appropriation bills) up to or later than the 50th day,

Resolved, That better consideration could be given to all legislative matters if no bills were permitted to be introduced in the house after the 40th day without unanimous consent.

Which motion prevailed and
The resolution was adopted.

Mr. Streeter offered the following resolution and moved its adoption:

Resolved, That the thanks of the house of representatives of the tenth legislative assembly be extended to the superintendent of the capitol building and the other capitol employes for their uniform courtesy and their attention to duty during the session.

Which motion prevailed, and
The resolution was adopted.

Mr. Johnson of Ward offered the following resolution and moved its adoption:

WHEREAS, Hon. R. N. Stevens has been an attache of the attorney general's office for the past two years and whereof he has shown by his labors in this house his legal competency to occupy such a position and whereas it is reported that he is about to resign his position as member of the house of representatives,

Therefore, Be It Resolved, That this house cordially endorse him for appointment in the office of the attorney general, believing his intimate connection and knowledge of the laws passed at this session will enable him to render invaluable assistance to the state in the attorney general's office

Which motion prevailed, and

The resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 8, 1907.

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 307,

A bill for an act to amend section 9190 of the Revised Codes of the state of North Dakota for the year 1905, fixing the punishment for grand larceny.

As requested by the house.

Very respectfully.

J. W. FOLEY,
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 340,

A bill for an act reinstating and validating the charter of corporations that have been cancelled for failure to make and file with the secretary of state reports as required under section 4168 Revised Codes 1905.

Also,

House Bill No. 210,

A bill for an act to amend section 5572 of the Revised Codes of 1905, relating to master and servant.

Also,

House Bill No. 286,

A bill for an act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.

Also,

House Bill No. 292,

A bill for an act authorizing the board of county commissioners to appoint a board of visitors whose duty it shall be to visit county asylums or poor farms and make report thereon.

Also,

House bill No. 26,

Concurrent resolution for an amendment to the constitution, providing for the initiative and referendum.

Also,

House Bill No. 49,

A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners.

Also,

House Bill No. 183,

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2215, 2218 and 2226, in relation to oil inspection.

Were delivered to the governor for his approval at the hour of 8:20 p. m. March 8, 1907.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

J. M. Anderson introduced the following resolution and moved its adoption:

Resolved, That the thanks of the house of representatives of the tenth legislative assembly be extended to the people of Bismarck for the numerous courtesies they have shown the members during their sojourn in the Capital City.

Which motion prevailed, and

The resolution was adopted.

Mr. Streeter moved

That this house present to the Hon. Treadwell Twichell

the chair and gavel which he has used during the session.

Which motion prevailed, and

The resolution was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

And find the same correctly enrolled.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Also,

House Bill No. 107,

A bill for an act providing to provide for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants.

Also,

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which the change of venue is obtained.

Also,

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

Also,

House bill No. 313,

A bill for an act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

And find the same correctly enrolled.

Also,

House Bill No. 338,

A bill for an act authorizing the secretary of state on the approval of the governor to receive and receipt to the United States surveyor general of the district of North Dakota for all the field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as the government may direct to be turned over to the state when all of the public surveys of the state of North Dakota shall have been completed.

Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report of the committee be adopted.

Which motion prevailed, and

The report was adopted.

The chief clerk announced that the speaker was about to sign:

House Bill No. 296,

A bill for an act to amend sections 938, 939, 940, 941 and 943 of the Revised Codes of 1905 of the state of North Dakota, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Also,

House Bill No. 151,

A bill for an act to amend section 5743 of the Revised Codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property

containing a power of sale, and limiting the time in which such mortgages may be foreclosed by advertisement.

Also,

House Bill No. 112,

A bill for an act to amend section 829 of the Revised Codes of North Dakota for 1905 relating to education.

Also,

House Bill No. 150,

A bill for an act amending section 2887 of the Revised Codes of 1905 relating to the powers of village marshals and to legalize past acts of village marshals.

Also,

House Bill No. 290,

A bill for an act entitled "An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which the change of venue is obtained.

Also,

House Bill No. 332,

A bill for an act to amend section 2578 of the Revised Codes of 1905 of the state of North Dakota, prescribing the salary of state's attorney and assistant.

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Also,

House Bill No. 325,

A concurrent resolution for amendment to the constitution of the state of North Dakota relating to revenue and taxation.

And the speaker signed the same in the presence of the house.

The speaker appointed as a committee to assist the chief clerk in correcting and revising the journal of the house pursuant to resolution, W. D. Austin and O. J. Quamme.

J. M. Anderson of Grand Forks introduced the following resolution and moved its adoption:

WHEREAS, The employees at the desk have been most efficient in the performance of their manifold duties; and,

WHEREAS, They have shown marked patience and forbearance throughout the entire session; therefore,

Be It Resolved by the House of Representatives, That the thanks of the members be extended to

P. D. Norton, chief clerk,

Otto Sougstad,

W. D. Austin,

Oscar J. Quamme,

O. H. Killand,

J. I. Roop,

Leon Derocher, and

Mable Thorburn.

Which motion prevailed, and

The resolution was adopted.

A committee of three from the senate informed the house that they were ready to visit the house at their convenience.

Mr. Stevens moved

That a committee of three be appointed to invite the senate to the house at once.

Which motion prevailed.

The speaker appointed as such committee Messrs. Stevens, Burdick and Streeter.

The committee on revision and correction of the journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the fifty-eighth day, after recess and fifty-ninth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 7, after line 10, insert the following: "Very Respectfully, J. W. Foley, Secretary."

Page 9, line 9, change figure "15" to "14."

Page 45, change from "House Bill No. 333" to "Senate Bill No. 333, with correct title."

Page 61, after line 18, insert the following: "Special Order. House No. 23, with title."

Page 65, "Strike out lines 13, 14, 15, 16 and 17."

Page 70, change "House" to "Senate Bill No. 306, with correct title."

Page 93, strike out lines 9, 10 and 11.

Page 100, line 19, after word "members" insert "ba appointed."

Page 121, line 15, change name "Ward" to "Billings."

And when so amended recommend that the same be approved.

A. O. GRAHAM,
Chairman.

Mr. Graham moved
That the report be adopted,
Which motion prevailed, and
The report of the committee was adopted.

The committee on enrollment made the following report:
Mr Speaker:

Your committee on enrollment have examined
House bill No. 53,

A bill for an act to amend section 6295 of the Revised
Codes of 1905, providing for a lien for repairs of person-
alty.

Also,

House Bill No. 75,

A bill for an act to amend section 835 of the Revised
Codes of 1905, providing for the enumeration of children
of school age.

Also,

House Bill No. 92,

A bill for an act to amend sections 3063 and 3133 of the
Revised Codes of the state of North Dakota of 1905, re-
lating to the powers of electors and supervisors in organ-
ized townships.

Also,

House Bill No. 335,

A bill for an act to amend section 1845, chapter 23, of the
Political Code of the state of North Dakota, Revised Codes
of North Dakota of 1905, relating to drains.

Also,

House Bill No. 301.

A bill for an act to amend sections 926, 928 and 935 of the
Revised Codes of North Dakota, 1905, relating to deposit-
ors of school funds.

Also,

House Bill No. 312,

A bill for an act to regulate telegraph service within the state.

Also,

House Bill No. 318,

A bill for an act entitled an act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Also,

House Bill No. 263,

A bill for an act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the making of reports regarding such statistics, and prescribing a penalty for violation.

Also,

House Bill No. 279,

A bill for an act to amend section 165 of the Revised Codes of 1905 of chapter 4 of the Political Code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Also,

House Bill No. 288,

A bill for an act to amend section 434 of the Political Code.

Also,

House Bill No. 159,

A bill for an act to amend section 2580 of the Revised Codes of North Dakota for 1905 relating to the salaries of clerks of the district court.

Also,

House Bill No. 165,

A bill for an act providing for the levy and collection of road taxes in incorporated villages.

Also,

House Bill No. 220,

A bill for an act amending sections 7608 and 7609 of the Revised Codes of 1905, and making the state engineer ex officio coal mine inspector of the state.

Also,

House Bill No. 93,

A bill for an act to provide for the division of funds and

property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31 of the Political Code of North Dakota.

Also,

House Bill No. 98,

A bill for an act to amend section 4440 of the Revised Codes of North Dakota, 1905.

Also,

House Bill No. 169,

A bill for a concurrent resolution for amendment to the constitution of the state of North Dakota providing for the purchase of and sale of school and public lands.

Were delivered to the governor at 10:10 p. m. March 8, 1907.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Also,

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Also,

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Also,

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Also,

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905, relating to property exempt from taxation.

Also,

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Also,

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Also,

House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Also,

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

And find the same correctly enrolled.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

The chief clerk announced that the speaker was about to sign:

Senate Bill No. 320,

A bill for an act to amend sections 1077, 1078, 1079, 1082, 1084, 1085, 1086, 1087, and 1090 of the Revised Codes of North Dakota of 1905, relative to the state normal schools at Valley City and Mayville.

Also,

Senate Bill No. 171,

A bill for an act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Also,

Senate Bill No. 173,

A bill for an act relating to the salaries of officers and agents of life insurance companies.
life insurance.

Also,

Senate Bill No. 280,

A bill for an act entitled, "An act to amend subdivision 3 of section 7225 of the Revised Codes of North Dakota, relating to appeals to the supreme court from orders made in certain cases."

Also,

Senate Bill No. 172,

A bill for an act establishing standard forms in which policies of life insurance may be issued in this state and in which policies of life insurance companies organized under the laws of this state may be issued; and regulating the conditions and provisions to be contained in policies of life insurance companies that do not adopt such standard forms.

Also,

Senate Bill No. 113,

A bill for an act to amend section 140 of the Revised Codes of 1905, relating to the appointment and qualification of the state examiner. .

Also,

Senate Bill No. 71,

A bill for an act to repeal section 3111 of the Revised Codes of North Dakota, 1905, relating to the term of office of township officers.

Also,

Senate Bill No. 61,

A bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Also,

Senate Bill No. 58,

A bill for an act defining the boundaries of the Second, Eighth and Ninth judicial districts of the state of North Dakota, and providing for terms of court in said districts.

Also,

Senate Bill No. 69,

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Also,

Senate Bill No. 304,

A bill for an act to amend and re-enact section 2329 of the Revised Codes of 1905, relative to the division of counties.

Also,

Senate Bill No. 311,

A bill for an act to prohibit discrimination between different sections, communities or localities; unfair competition, and providing penalties for the violation thereof.

Also,

Senate Bill No. 1,

A bill for an act providing for the selection of candidates for election by popular vote and relating to their nomination and the perpetuation of political parties.

Also,

Senate Bill No. 211,

A bill for an act providing for the election of county surveyor and prescribing his duties, and the manner in which his records shall be kept, and authorizing the board of county commissioners and the board of township supervisors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

And the speaker signed the same in the presence of the house.

The chief clerk announced that the speaker was about to sign:

Senate Bill No. 290,

A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D. 1905, relating to judicial districts within the state.

Also,

Senate Bill No. 292,

A bill for an act creating and defining the Tenth judicial district within the state of North Dakota; providing for the election of a judge therein and fixing the terms of court in said district.

Also.

Senate Bill No. 167,

A bill for an act to amend section 2245 relating to license. How obtained. Fee, how determined.

Also,

Senate Bill No. 325,

A bill for an act amending and re-enacting section 2592 of the Revised Codes of 1905, relating to salary of county auditors.

Also,

Senate Bill No. 53,

A bill for an act relating to the provisions of life insurance policies.

Also,

Senate Bill No. 90,

A bill for an act to amend section 122 of the Revised

Codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Also,

Senate Bill No. 177,

A bill for an act relating to the annual reports of life insurance companies.

Also,

Senate Bill No. 254,

A bill for an act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing the penalty for the violation of its provisions.

Also,

Senate Bill No. 321,

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Also,

Concurrent resolution relating to waterways.

Also,

Concurrent resolution relating to geological survey.

Also,

Senate Bill No. 340,

A joint resolution.

Also,

Senate Bill No. 313,

A bill for an act to amend section 4224 of the Revised Codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Also,

Senate Bill No. 164,

A bill for an act to amend section 6241 of the Revised Codes of 1905, being section 4792 of the Revised Codes of 1895, relating to the clerk's record of mechanic's liens.

Also,

Senate Bill No. 212,

A bill for an act to amend section 28 of the Revised Codes

of North Dakota of 1905, relating to legislative officers and employes and their compensation.

And the speaker signed the same in the presence of the house.

The chief clerk announced that the speaker was about to sign:

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Also,

House Bill No. 278,

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Also,

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Also,

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Also,

House Bill No. 207.

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905.

Also,

House bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Also,

House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200

clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Also,

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Also,

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Also,

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

And the speaker signed the same in the presence of the house.

Mr. Sorley of Grand Forks moved

That a committee of three be appointed to wait upon the governor and ascertain if he had any further communications to present to the house.

Which motion prevailed.

The speaker appointed Messrs. Sorley of Grand Forks, Adams and Piper.

The committee appointed to wait on the governor reported that the governor had no further communications to transmit to the house.

Mr. Ueland moved

That a committee of three be appointed by the speaker to inform the senate that the house is ready to adjourn.

Which motion prevailed.

The speaker appointed as such committee Messrs. Ueland, Stevens and Buttz.

The committee on enrollment made the following report:
Mr. Speaker:

Your committee on enrollment respectfully report that:
House Bill No. 167,

A bill for an act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Also,

House Bill No. 33,

A bill for an act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the Revised Codes of North Dakota for 1905, relating to the maximum coal rate.

Also,

House bill No. 343,

A bill for an act to amend section 7253 of the Revised Codes of 1905, relating to witnesses and evidence.

Also,

House Bill No. 309,

A bill for an act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.

Also,

House Bill No. 297,

A bill for an act to provide for a uniform system of accounting by the state institutions of North Dakota; prescribing the books, forms, the duties of the accounting officer, the state auditor, and the institution treasurer, with regard to such uniform system of accounting; also pre-

scribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Also,

House Bill No. 291,

A bill for an act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.

Also,

House Bill No. 281,

A bill for an act to amend section 2596 of the Revised Codes of North Dakota of 1905, providing the clerk hire for the register of deeds' office in the various counties in the state.

Also,

House Bill No. 278,

A bill for an act to fix the number of senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Also,

House bill No. 345,

A bill for an act providing for summary administration when estate is of small value.

Also,

House Bill No. 207,

A bill for an act to amend section 1484 of the Political Code, Revised Codes of North Dakota of 1905, relating to property exempt from taxation.

Also,

House Bill No. 242,

A bill for an act to amend section 1584 of the Revised Codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the nonpayment of taxes.

Also,

House Bill No. 243,

A bill for an act to amend section 2869 of the Revised Code of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing

for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Were delivered to the governor for his approval at the hour of 11:20 o'clock p. m. March 8, 1907.

THOS. H. PUGH,
Chairman.

Mr. Pugh moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Buttz moved

That the house do now adjourn sine die.

Which motion prevailed, and

The house adjourned sine die.

P. D. NORTON,
Chief Clerk.

INDEX

RECORD OF BILLS IN THE HOUSE

HOUSE BILLS

House Bill No. 1—(Stevens.)

An act to amend section 155 of chapter 4 of the political code of the state of North Dakota, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools, and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Introduced, 36.

Read twice and referred, 36.

Reported back with amendments, 41 and 41.

Amendments adopted, 41.

Passed the house, 41.

Received from the senate passed, 77.

Other action, 82-84-94.

House Bill No. 2—(Casey)

A bill for an act for the election of United States senators by popular vote.

Introduced, 73.

Read twice and referred, 82.

Reported back with amendments, 255.

Other action, 286.

Reported back, 1053.

Indefinitely postponed, 1053.

House Bill No. 3—(Tufte)

A bill for an act amending section 9366 of the revised codes of North Dakota for the year 1905 relating to prohibition.

Introduced, 74.

Read twice and referred, 82.

House Bill No. 4—(O. P. N. Anderson)

A bill for an act to amend section 2000 relating to epidemic dis-

House Bill No. 4—Continued.

eases among domestic animals and providing for their compensation when destroyed by order of the district veterinarian.

Introduced, 82.

Read twice and referred, 82.

Introduced substitute, 298.

House Bill No. 5—(Mockler)

A bill for an act to amend section 4302 of the revised codes of 1905 relating to the stopping of passenger trains at county seats, and penalty for non-compliance therewith.

Introduced, 82.

Read twice and referred, 83.

Reported back, 932.

Indefinitely postponed, 932.

House Bill No. 6—(Casey)

A bill for a law prohibiting the issuance or furthering of any pass, ticket, transportation or service, either free or at less than regular public rates, to any person, and to prohibit the receiving or issuing of any such ticket, pass, transportation or service, and providing penalties for the violation thereof.

Introduced, 83.

Read twice and referred, 83.

Reported back, 933.

Indefinitely postponed, 933.

House Bill No. 7—(Mockler.)

An act requiring railway companies owning or operating a line of railway in this state, to construct, maintain and keep in repair suitable fences and cattle guards, making said company liable for stock killed or injured by reason of its failure to fence and construct cattle

House Bill No. 7—Continued.

guards and regulating speed of trains at depot grounds.
 Introduced, 83.
 Read twice and referred, 83.
 Reported back with amendments, 403.
 Amendments adopted, 622.
 Passed the house, 624.
 Returned from senate with amendments, 1264.
 Amendments concurred in, 1290.
 Other action, 1357.

House Bill No. 8—(Casey)

A bill for a law providing for the taxation of railroads, the collection of such taxes and repealing acts inconsistent therewith.
 Introduced, 83.
 Read twice and referred, 83.
 Rereferred, 1051.

House Bill No. 9—(Duncan)

A bill for an act to amend section 1319 of the political code of the state of North Dakota.
 Introduced, 83.
 Read twice and referred, 83.
 Reported back, 732.
 Indefinitely postponed, 732.

House Bill No. 10—(Pugh.)

A bill for an act to amend section 10401 of the revised codes of North Dakota for the year 1905, relating to commitments to the reform school.
 Introduced, 84.
 Read twice and referred, 84.
 Reported back, 143.
 Passed the house, 189.
 Received from senate indefinitely postponed, 300.

House Bill No. 11—(Duncan.)

An act to amend section 1854 of the revised codes of 1905, relating to residence of the poor.
 Introduced, 84.
 Read twice and referred, 84.
 Reported back, 235.
 Amended and passed the house, 304.
 Title amended, 305.
 Other action. 922.
 Received from senate passed, 1266.
 Other action 1321.

House Bill No. 12—(Berndt Anderson.)

An act providing for the opening, grading, improving and vacating of streets, alleys, etc., in incorporated villages.
 Introduced, 84.
 Read twice and referred, 84.
 Reported back, 315.
 Passed the house, 322.
 Received from senate passed, 1121.
 Other action, 1156.

House Bill No. 13—(Streeter)

A bill for an act entitled an act prescribing the method of procedure in cases of horses, mares, mules or asses afflicted with glanders, and providing for compensation to owners where such animals are ordered to be destroyed.
 Introduced, 84.
 Read twice and referred, 84.
 introduced substitute, 298.

House Bill No. 14—(Berndt Anderson.)

An act to amend section 2864 of the revised codes of North Dakota for 1905, relating to the general powers of the board of trustees of incorporated villages.
 Introduced, 85.
 Read twice and referred, 85.
 Reported back, 316.
 Passed the house, 419.
 Received from senate passed, 1144.
 Other action, 1234.

House Bill No. 15—(Streeter.)

A bill for an act entitled an act requiring railway companies to provide at stations or sidings where an agent is not employed prompt means for sealing loaded cars and receipting for their contents.
 Introduced, 85.
 Read twice and referred, 85.
 Reported back with amendments, 340.
 Amendments adopted, 565.
 Passed the house, 792.

House Bill No. 16—(Sorlie of Traill)

A bill for an act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Introduced, 85.

Read twice and referred, 85.

Introduced substitute, 298.

House Bill No. 17—(Duncan.)

An act to amend section 2082 of the revised codes of 1905, relating to forest tree culture.

Introduced, 85.

Read twice and referred, 85.

Reported back, 142.

Passed the house, 188.

Received from senate amended, 1124.

Amendments concurred in, 1152.

Other action, 1234.

House Bill No. 18—(White.)

An act providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Introduced, 85.

Read twice and referred, 86.

Reported back, 199.

Other reference, 225.

Amended, 246.

Passed the house, 247.

Returned from senate amended, 529.

Referred to general orders, 532.

Passed the house, 1135.

Received from senate passed, 1231.

Reported back with amendments, 1132.

Amendments adopted, 1135.

Other action 1274.

House Bill No. 19—(White)

A bill for an act to provide a method for the nomination of candidates for office by political parties.

Introduced, 86.

Read twice and referred, 86.

Reported back, 1053.

Indefinitely postponed, 1053.

House Bill No. 20—(Sorley.)

A bill for an act to amend section 7459 of the revised codes of 1905, relating to the publication of notice in the foreclosure of real estate mortgages by advertisement.

Introduced, 86.

Read twice and referred, 86.

Reported back with amendments, 540.

Amendments adopted, 847.

Passed the house, 953.

Received from senate indefinitely postponed, 1341.

House Bill No. 21—(Sorley.)

A bill for an act to amend section 5541 of the revised codes of 1895, being section 5541 of the revised codes of 1899, relating to property sold subject to redemption.

Introduced, 86.

Read twice and referred, 86.

Reported back, 143.

Amended and passed the house, 191, 192.

Received from senate indefinitely postponed, 1342.

House Bill No. 22—(Tufte.)

A bill for an act to regulate the marriage of persons having been divorced and the issuing of marriage licenses to such persons.

Introduced, 86.

Read twice and referred, 86.

Reported back, 339.

Passed the house, 438.

Received from senate indefinitely postponed, 1229.

House Bill No. 23—(Anderson of Grand Forks)

A bill for an act to prohibit the use of money by corporations in elections and to prevent them from rendering any free service for any political purpose whatsoever.

Introduced, 86.

Read twice and referred, 86.

Reported back, 1053.

Indefinitely postponed, 1054.

House Bill No. 24—(Jones of Ramsom)

A bill for an act establishing a maximum railroad passenger rate within the state.

Introduced, 87.

Read twice and referred, 87.

Reported back, 933.

Indefinitely postponed 933.

House Bill No. 25—(Haugen.)

A bill for an act making it unlawful for any person to solicit orders for the sale of intoxicating liquors in the state of North Dakota and providing a penalty therefor.

Introduced, 87.

Read twice and referred, 87.

Reported back with amendments, 154.

Amendments adopted, 175.

Passed the house, 220.

Received from senate indefinitely postponed, 1342.

House Bill No. 26—(Ueland.)

For an amendment to the constitution providing for the initiative and referendum.

Introduced, 87.

Read twice and referred, 87.

Reported back, majority and minority reports, 344.

Indefinitely postponed, 385.

Reconsidered, 408.

Referred, 408.

Special order, 408.

Amended, 436.

Passed the house, 437.

Returned from senate with amendments, 1265.

Amendments concurred in, 1317.

Other action, 1413.

House Bill No. 27—(Ueland)

A bill for an act regulating the handling of freight in carload lots by railroad companies, shippers and consignees, and equalizing car service, charges and penalties for the use and detention of cars and failure to furnish cars and transport the same.

Introduced, 87.

Read twice and referred, 87.

Reported back, 933.

Indefinitely postponed, 933.

House Bill No. 28—(Buttz.)

An act making appropriation to cover deficiency on monument, for sewer and reconstruction of plumbing, for remodeling for new dormitory, and for construction of an administration building at Soldier's Home.

Introduced, 87.

Read twice and referred, 87.

Reported back, 933.

Indefinitely postponed, 933.

Introduced, 87.

Read twice and referred, 87.

Reported back with amendments, 476.

Amendments adopted, 554.

Passed the house, 555.

Received from senate with amendments, 890.

Amendments concurred in, 886-892.

Other action, 921.

House Bill No. 29—(Shirley)

A bill for an act entitled an act prohibiting any probate judge or any clerk of any probate court from acting as counsel or attorney, and prohibiting any such clerk or the law partner of any judge of probate or such clerk from appearing or practicing as attorney in any matter or proceeding before such probate court.

Introduced, 87.

Read twice and referred, 88.

Reported back, 474.

Indefinitely postponed, 474.

House Bill No. 30—(Shirley)

A bill for an act entitled an act to repeal section 4680 of the revised codes of 1899, being section 6130 of the code of 1905. Liens on future interest.

Introduced, 88.

Read twice and referred, 88.

Reported back, 473.

Indefinitely postponed, 473.

House Bill No. 31—(Shirley)

A bill for an act entitled an act to amend section 6237 of the revised codes of 1905, relating to mechanics' liens.

Introduced, 88.

Read twice and referred, 88.

Reported back, 929.

Indefinitely postponed, 929.

House Bill No. 32—(Shirley.)

A bill for an act entitled an act to amend section 4064 of the revised codes of 1899, being section 5511 of the revised codes of 1905. Usury defined.

Introduced, 88.

Read twice and referred, 88.

Reported back, 159.

Referred, 217.

Reported back, 286.

Passed the house, 316.

Returned from senate indefinitely postponed, 470.

House Bill No. 33—(Oveson.)

An act to amend and re-enact chapter 146 of the laws of 1903, being section 4395 of the revised codes of North Dakota for 1905, relating to the maximum coal rate.

Introduced, 88.

Read twice and referred, 88.

Reported back with amendments, 404.

Amendments adopted, 697.

Passed the house, 863.

Received from senate passed, 1402.

Other action, 1458.

House Bill No. 34—(Storey.)

An act to amend section 4302 of the revised codes of North Dakota of 1905, relating to stopping of trains at county seats.

Introduced, 88.

Read twice and referred, 88.

Reported back, 200.

Passed the house, 225.

Returned from senate with amendments, 1264.

Amendments concurred in, 1292.

Other action, 1321.

House Bill No. 35—(Sorlie of Traill)

A bill for an act to prohibit the granting to or use of by any person a free pass or special privilege withheld from any other person and fixing the penalty for the violation thereof.

Introduced, 89.

Read twice and referred, 89.

House Bill No. 36—(Storey.)

An act to amend section 2825 of the revised codes of North Dakota of 1905, relating to extension of corporate limits of cities.

Introduced, 89.

Read twice and referred, 89.

Returned from senate with amendments, 156.

Amendments adopted, 176.

Passed the house, 222.

Received from senate passed, 1122.

Other action, 1156.

House Bill No. 37—(Storey.)

A bill for an act to amend section 1348 of the revised codes of North Dakota of 1905, relating to public roads.

Introduced, 89.

Read twice and referred, 89.

Reported back amended, 155.

Re-referred, 176.

Returned from senate with amendments, 181.

Amendments adopted, 264.

Passed the house, 312.

Returned from senate indefinitely postponed, 1230.

House Bill No. 38—(Stevens)

A bill making an emergency appropriation.

Introduced, 89.

Read twice and referred, 89.

Reported back, 924.

Indefinitely postponed, 924.

House Bill No. 39—(Anderson of Grand Forks.)

A bill for an act to preserve the public health by regulating and prohibiting the use or feeding of unwholesome food products to live stock, poultry or animals used or kept for consumption as a food, and by providing for the inspection and quarantine of all live stock, hogs, poultry and other animals affected by any contagious or infectious disease and by prohibiting the sale, barter or disposition of the same and all diseased or infected meats or food products therefrom.

Introduced, 99.

House Bill No. 39—Continued.

Read twice and referred, 99.
 Reported back, 260.
 Re-referred, 312.
 Reported back, 1057.
 Indefinitely postponed, 1057.

House Bill No. 40—(Burdick.)

An act to amend section 6173 of the revised codes of 1905 of North Dakota, relating to the release of mortgages.
 Introduced, 99.
 Read twice and referred, 99.
 Returned from senate with amendments, 182.
 Amendments adopted, 286.
 Passed the house, 314.
 Received from senate amended, 1196.
 Amendments concurred in, 1198.
 Other action, 1233.

House Bill No. 41—(Sorley.)

A bill for an act providing for the selection of candidates for election by popular vote including selection of members of the national committee and relating to their nomination and the perpetuation of political parties.
 Introduced, 99.
 Read twice and referred, 100.
 Returned from senate with amendments, 334.
 Other action, 337.
 Amendments adopted, 370.
 Amended and passed the house, 371-372.
 Received from senate indefinitely postponed, 1342.

House Bill No. 42—(Casey.)

A bill for a concurrent resolution amending the state constitution for the selection of county superintendents.
 Introduced, 100.
 Read twice and referred, 100.
 Reported back, 157.
 Reported back, 204.
 Passed the house, 262.

House Bill No. 43—(Sorley.)

A concurrent resolution amending the constitution of the state of North Dakota, relating to railroad corporations and requiring them to maintain a public

House Bill No. 43—Continued.

office or place in the state for the transacting of business.
 Introduced, 100.
 Read twice and referred, 100.
 Reported back, 180.
 Passed the house, 223.
 Returned from senate with amendments, 1265.
 Amendments concurred in, 1289.
 Other action, 1327.

House Bill No. 44—(Grant)

A bill for an act to amend chapter 178 of the laws enacted by the eighth legislative assembly of the state of North Dakota, which chapter was and is entitled "An act to amend section 2082 of the revised codes of 1899, relating to fees to be charged by sheriffs, which act was approved March 12th, 1903.
 Introduced, 100.
 Read twice and referred, 100.
 Reported back, 144.
 Indefinitely postponed, 144.

House Bill No. 45—(White.)

A bill for a concurrent resolution amending the constitution of the state of North Dakota, relating to the investment of school funds.
 Introduced, 100.
 Read twice and referred, 100.
 Reported back, 144.
 Passed the house, 214.

House Bill No. 46—(Piper.)

An act amending section 1116 of the revised codes of 1895, being section 1410 of the revised codes of 1905, relating to the duties of road overseers.
 Introduced, 101.
 Read twice and referred, 101.
 Reported back with amendments, 156.
 Amendments adopted, 203-204.
 Amended and passed the house, 243.
 Received from senate passed, 392.
 Other action, 433.

House Bill No. 47—(Grant)

A bill for an act to provide for the payment to the owner of the value of animals destroyed under the provisions of article seventeen of the political code of North Dakota or because such animals were, at the time of their destruction, infected or afflicted with the disease commonly known as glanders.

Introduced, 101.

Read twice and referred, 101.

Indefinitely postponed, 132.

Reconsidered, 133.

Re-referred, 145.

Introduced substitute, 298.

House Bill No. 48—(Oveson)

A bill for an act to amend section 1531 of the revised codes of the state of North Dakota for 1905, relating to the state board of equalization.

Introduced, 101.

Read twice and referred, 101.

Reported back, 337.

Indefinitely postponed, 337.

House Bill No. 49—(Martin of Morton)

An act to amend section 429 of chapter 6 of the political code of 1905, relating to vacancies on the board of county commissioners.

Introduced, 101.

Read twice and referred, 101.

Reported back, 159.

Passed the house, 217.

Returned from senate with amendments, 1337.

Amendments concurred in, 1341.

Other action, 1413.

House Bill No. 50—(Hannawalt)

A bill for an act to amend section 9455 of the revised codes of North Dakota, relating to game.

Introduced, 101.

Read twice and referred, 101.

Reported back, 576.

Indefinitely postponed, 576.

House Bill No. 51—(Cunningham)

A bill for an act fixing liability for damages caused by defective bridges.

Introduced, 101.

Read twice and referred, 102.

Reported back, 380.

Indefinitely postponed, 380.

House Bill No. 52—(Deane).

An act providing that whenever any court in passing sentence on any person convicted of a misdemeanor sentences such person to confinement in the court jail the court shall, if in his opinion such person is capable of performing manual labor, sentence such person to confinement in the county jail at hard labor.

Introduced, 102.

Read twice and referred, 102.

Reported back with amendments. 157-158.

Amendments adopted, 205.

Passed the house, 298.

Received from senate passed, 1266.

Other action, 1320.

House Bill No. 53—(Griffith).

An act to amend section 6295 of the revised codes of 1905, providing for a lien for repairs of personality.

Introduced, 102.

Read twice and referred, 102.

Reported back with amendments. 397.

Amendments adopted, 417.

Passed the house, 440.

Received from senate with amendments, 1350.

Amendments concurred in, 1356.

Other action, 1425.

House Bill No. 54—(Halaas).

An act amending section 2439 of the revised codes of 1905, relating to county funds.

Introduced, 110.

Read twice and referred, 110.

Reported back with amendments, 141.

Amendments adopted, 164.

Passed the house, 219.

Received from senate with amendments, 1266.

Amendments concurred in, 1294.

Other action, 1357.

House Bill No. 55—(Halaas)

A bill for an act requiring that certain employees of railroad companies be examined and require them to secure a license before entering upon their duties as such employees.

Introduced, 110.

Read twice and referred, 110.

Reported back, 200.

Indefinitely postponed, 200.

House Bill No. 56—(Freeman)

A bill for an act to define who are public threshermen and to provide a security for the payment of the operating expenses of their machines.

Introduced, 110.

Read twice and referred, 110.

Reported back, majority and minority reports, 341.

Indefinitely postponed, 841.

House Bill No. 57—(Duncan)

A bill for an act to amend section 1582 of the revised codes of 1905, relating to redemption of real estate taxes.

Introduced, 110.

Read twice and referred, 110.

Reported back, 668.

Indefinitely postponed, 668.

House Bill No. 58—(Burdick)

A bill for an act regulating the handling of freight in carload lots by railroad companies, shippers and consignees, and equalizing car service charges and penalties, for the use and detention of cars and failure to furnish cars and transport the same.

Introduced, 110.

Read twice and referred, 110.

Reported back, 934.

Indefinitely postponed, 934.

House Bill No. 59—(J. M. Anderson).

An act to provide for the satisfaction of liens and mortgages upon the property before date of maturity, and for the discharge of the same by the laws now in force in the state of North Dakota.

Introduced, 110.

Read twice and referred, 111.

Reported back, 144.

Amended and passed the house, 193.

Received from senate, passed, 1224.

Other action, 1274.

House Bill No. 60—(Tufte).

An act to amend section 4036 of the revised codes of North Dakota for 1905, relating to who may solemnize marriages and to marriage license.

House Bill No. 60—Continued.

Introduced, 111.

Read twice and referred, 111.

Reported back, 145.

Amended and passed the house, 194.

Received from senate, passed, 1267.

Other action, 1320.

House Bill No. 61—(Church)

A bill for an act to amend section 8346 of the revised codes of North Dakota for the year 1905, relating to justices' code.

Introduced, 111.

Read twice and referred, 111.

Reported back, 158.

Indefinitely postponed, 158.

House Bill No. 62—(Church)

A bill for an act requiring all persons, firms, associations, corporations, or trustees operating, managing and conducting public warehouses within this state, to install therein suitable, sufficient, and modern machinery for cleaning of grain offered for sale or storage at any such warehouse, requiring them to clean the same upon demand and regulating charges therefor.

Introduced, 111.

Read twice and referred, 111.

Reported back with amendments, 433.

Indefinitely postponed, 700.

House Bill No. 63—(Haugen).

An act prescribing a penalty for letting any building or portion of any building, knowingly, for the purpose of unlawful dealing in intoxicating liquors.

Introduced, 111.

Read twice and referred, 111.

Reported back, 235.

Passed the house, 302.

Received from senate, passed, 1122.

Other action, 1156.

House Bill No. 64—(Casey).

An act providing for the revision and compilation of the school laws of the state of North Dakota.

Introduced, 111.

House Bill No. 64—Continued.

Read twice and referred, 112.
 Reported back, 156.
 Re-referred, 157.
 Reported back with amendments, 204.
 Amendments adopted, 205.
 Amended and passed the house, 245.
 Received from senate amended, 1122.
 Amendments concurred in, 1150.
 Other action, 1234.

House Bill No. 65—(Oveson)

A bill for an act to amend section 3062 of the revised codes of North Dakota for 1905, relating to township officers.
 Introduced, 112.
 Read twice and referred, 112.
 Reported back, 180.
 Indefinitely postponed, 180.

House Bill No. 66—(Midgarden)

A bill for an act to secure earnings of laborers for work for operators of threshing machines.
 Introduced, 112.
 Read twice and referred, 112.
 Reported back, 341.
 Indefinitely postponed, 341.

House Bill No. 67—(Ueland)

A bill for an act appropriating money for paying the indebtedness on superintendent's residence and for building a machine shed and seed house and for other improvements at Edgeley sub-experiment station.
 Introduced, 112.
 Read twice and referred, 112.
 Reported back, 733.
 Indefinitely postponed, 734.

House Bill No. 68—(Connolly).

An act to amend section 6130 of the revised codes of North Dakota for the year 1905, relating to liens on future interest.
 Introduced, 118.
 Read twice and referred, 118.
 Reported back with amendments, 154.
 Amendments adopted, 203.
 Passed the house, 227.
 Received from senate amended, 1207.
 Amendments concurred in, 1287.
 Other action, 1357.

House Bill No. 69—(Halaas)

A bill for an act to amend section 3 of chapter 82 of the laws of 1897, being section 9403 of the revised codes of the state of North Dakota, 1905, relating to how summons shall be served in garnishment.
 Introduced, 118.
 Read twice and referred, 118.
 Reported back, 158.
 Lost, 215.

House Bill No. 70—(Freeman)

A bill for an act requiring county commissioners to furnish an official bond to his county.
 Introduced, 118.
 Read twice and referred, 118.
 Reported back, 257.
 Indefinitely postponed, 257.

House Bill No. 71—(O. P. N. Anderson)

A bill for a concurrent resolution to amend the constitution of the state of North Dakota.
 Introduced, 119.
 Read twice and referred, 199.
 Reported back, 822.
 Indefinitely postponed, 822.

House Bill No. 72—(Midgarden)

A bill for an act to amend section 814 of the revised codes of 1905.
 Introduced, 119.
 Read twice and referred, 119.
 Reported back, 580.
 Indefinitely postponed, 580.

House Bill No. 73—(Midgarden)

A bill for an act entitled: "An act to amend sections 2366, 2367, 2368 and 2369, of the revised codes of 1905, relating to the removal of county seats."
 Introduced, 119.
 Read twice and referred, 119.
 Reported back, 170.
 Indefinitely postponed, 170.

House Bill No. 74—(Walker)

A bill for an act to aid and encourage education in small rural schools and appropriating money therefor.
 Introduced, 119.
 Read twice and referred, 119.
 Reported back, 735.
 Indefinitely postponed, 735.

House Bill No. 75—(Walker).

An act to amend section 835 of the revised codes of 1905, providing for the enumeration of children of school age.

Introduced, 119.

Read twice and referred, 119.

Reported back with amendments, 696.

Passed the house, 807.

Received from senate, passed, 1339.

Other action, 1425.

House Bill No. 76—(Sorlie).

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Introduced, 119.

Read twice and referred, 119.

Reported back, 143.

Passed the house, 190-191.

Reconsidered and referred, 201.

Reported back with amendments, 447.

Amendments adopted, 701.

Passed the house, 805.

Received from senate indefinitely postponed, 1342.

House Bill No. 77—(Walker)

A bill for an act to amend and reenact section 2613 of the revised codes of 1905.

Introduced, 120.

Read twice and referred, 120.

Reported back, 180.

Indefinitely postponed, 180.

House Bill No. 78—(Shannafelt)

A bill for an act to amend and reenact section 2617 of the revised codes of 1905.

Introduced, 120.

Read twice and referred, 120.

Indefinitely postponed, 181.

House Bill No. 79—(Stevens).

An act to amend section 4610 of the revised codes of 1905, relating to building and loan associations.

Introduced, 120.

Read twice and referred, 120.

Reported back, 158.

Passed the house, 216.

Received from senate, passed, 1121.

Other action, 1157.

House Bill No. 80—(Cunningham)

A bill for an act requiring railroad corporations to fence both sides of any portion of its road and making it liable for any damages sustained by reason of its failure to do so.

Introduced, 120.

Read twice and referred, 120.

Reported back, 932.

Indefinitely postponed, 932.

House Bill No. 81—(Ueland).

An act requiring biennial reports to be made by the superintendents of sub-experiment stations.

Introduced, 120.

Read twice and referred, 120.

Reported back with amendments, 155.

Amendments adopted, 176..

Passed the house, 221.

Received from senate, passed, 1122.

Other action, 1157.

House Bill No. 82—(O. P. N. Anderson)

A bill for an act to encourage elementary education and appropriate money therefor.

Introduced, 120.

Read twice and referred, 120.

Reported back, 169.

Rereferred, 264.

Reported back, 735.

Indefinitely postponed, 735.

House Bill No. 83—(Piper)

A bill for an act amending section 2385 of the revised codes of 1905, relating to the term of eligibility of certain county officers.

Introduced, 121.

Read twice and referred, 121.

Reported back with amendments, 159.

Amendments adopted, 204.

Lost, 263.

House Bill No. 84—(Treat).

An act to prevent adulteration, misbranding and selling of adulterated and insufficiently labeled drugs or medicines, restricting or prohibiting the sale of certain drugs, prescribing a penalty for the violation

House Bill No. 84—Continued.

thereof, providing for the inspection, testing and analyzing of said drugs and medicines, charging the North Dakota Experiment station with the duty thereof, and charging the states attorney with the enforcement thereof.

Introduced, 121.

Read twice and referred, 121.

Reported back, 501.

Amended and passed the house, 544.

Received from senate, passed, 1191.

Other action, 1274.

House Bill No. 85—(Law)

A bill for an act to repeal sections 2180, 2181, 2182, 2183, 2184, 2185, 2186 and 2187 of the revised codes of North Dakota of 1905, being chapter 194 of the session laws of 1905, relating to appointment, duties and compensation of inspector of weights and measures.

Introduced, 121.

Read twice and referred, 121.

Rereferred, 164.

House Bill No. 86—(Pugh, by request)

A bill for an act providing for the assessment of freight line and equipment companies.

Introduced, 121.

Read twice and referred, 121.

Reported back, 668.

Indefinitely postponed, 668.

House Bill No. 87—(Committee on Game and Fish)

A bill for an act for the protection of game, fish, wild birds, and fur-bearing animals, wild animals, and creating the offices of the state district game and fish wardens and deputies, and defining their duties and jurisdiction.

Introduced, 134.

Read twice and referred, 134.

Rereferred, 210.

Reported back with amendments, 333, 568.

Special order, 880.

Indefinitely postponed, 914.

House Bill No. 88—(Wedge, by request)

A bill for an act to define and regulate the operation of threshing machine outfits, and the payment for labor, groceries and provisions used in operating the same.

Introduced, 134.

Read twice and referred, 134.

Rereferred, 177.

Reported back, 253.

Indefinitely postponed, 253.

House Bill No. 89—(Nelson of Traill)

A bill for an act making appropriation for improvements and furnishings for the state normal school at Mayville, and for the construction of a woman's dormitory for said school.

Introduced, 134.

Read twice and referred, 135.

Reported back, 734.

Indefinitely postponed, 734.

House Bill No. 90—(Rose).

An act requiring elevator companies transacting business in this state to return certificate of inspection and weighmaster's certificate of weight to the local buyer.

Introduced, 135.

Read twice and referred, 135.

Reported back, 212.

Passed the house, 300.

Received from senate, passed, 1121.

Other action, 1235.

House Bill No. 91—(Geidt)

A bill for an act creating and establishing an agricultural experiment station at or near Ashley, McIntosh county, providing for its management and making appropriation therefor.

Introduced, 135.

Read twice and referred, 135.

Reported back, 509.

Indefinitely postponed, 509.

House Bill No. 92—(Hemmingsen).

An act to amend sections 3063 and 3133 of the revised codes of the state of North Dakota of 1905 relating to the powers of electors and supervisors in organized townships.

House Bill No. 92—Continued.

Introduced, 135.
 Read twice and referred, 135.
 Reported back, 254.
 Passed the house, 307.
 Received from senate with amendments, 1318.
 Amendments concurred in, 1349.
 Other action, 1424.

House Bill No. 93—(Hemmingsen).

An act to provide for the division of funds and property owned jointly by a village and a township, when they become separate and independent municipalities, by said village becoming organized under chapter 31, of the political code of North Dakota.

Introduced, 135.
 Read twice and referred, 135.
 Reported back, 316.
 Re-referred, 323.
 Reported back with amendments, 538.
 Amendments adopted, 847.
 Passed the house, 951.
 Received from senate, passed, 1355.
 Other action, 1426.

House Bill No. 94—(Peake).

A bill for an act to provide for the safekeeping of the public funds.
 Introduced, 136.
 Received from house, 850.
 First reading, 851.
 Read twice and referred, 136.
 Reported back with amendments, 578.
 Amendments adopted, 882.
 Passed the house, 1016.
 Returned from senate indefinitely postponed, 1352.

House Bill No. 95—(Peake)

A bill for an act relating to boards of equalization.
 Introduced, 136.
 Read twice and referred, 136.
 Rereferred, 260.
 Reported back, 396.
 Indefinitely postponed, 396.

House Bill No. 96—(Midgarden).

A bill for an act to amend section 4466 of the revised code of North Dakota of 1905.

House Bill No. 96—Continued.

Introduced, 136.
 Read twice and referred, 136.
 Reported back with majority and minority reports, 368.
 Reported back, 695.
 Passed the house, 859.

House Bill No. 97—(Midgarden)

A bill for an act to amend section 4337 of the revised codes of the state of North Dakota of 1905, relating to the distribution of cars between shippers by railroad companies.
 Introduced, 136.
 Read twice and referred, 136.
 Reported back, 901.
 Indefinitely postponed, 901.

House Bill No. 98—(Midgarden).

An act to amend section 4440 of the revised codes of North Dakota of 1905, relating to premiums and liabilities of insurance companies.
 Introduced, 136.
 Read twice and referred, 136.
 Reported back with amendments, 381.
 Amendments adopted, 696.
 Amended and passed the house, 861.
 Received from senate passed, 1360.
 Other action, 1426.

House Bill No. 99—(Pugh).

An act to amend section 872 of the political code of the revised codes of 1905, of the codes of North Dakota, relating to examinations and certificates for teachers in public schools.
 Introduced, 136.
 Read twice and referred, 136.
 Reported back, 382.
 Passed the house, 481.
 Received from senate passed, 1120.
 Other action, 1157.

House Bill No. 100—(Pugh).

A bill for an act to amend section 1313 of the revised codes of North Dakota, relating to county fairs.
 Introduced, 137.
 Read twice and referred, 137.
 Indefinitely postponed, 292.
 Reconsidered and referred, 536.
 Reported back, 847.
 Lost, 952.

House Bill No. 101—(Grant)

A bill for an act requiring each county officer who receives from any county a stated salary for his services, to keep a record of the fees received by him, as such officer, and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Introduced, 137.

Read twice and referred, 137.

Reported back, 258.

Rereferred, 311.

Reported back, 447.

Indefinitely postponed, 447.

House Bill No. 102—(Pugh)

A bill for a concurrent resolution suspending, delaying and postponing the operation of sections 1554 and 1571 of the revised codes of 1905, in so far as the said sections relate to the attaching of penalties to delinquent personal and real property taxes, assessed for the year 1906, until July 1st, 1907.

Introduced, 137.

Read twice and referred, 137.

Reported back, 254.

Indefinitely postponed, 254.

House Bill No. 103—(Oveson)

A bill for an act to amend and reenact section 3081 of the revised code of 1905, relating to organization of town meetings.

Introduced, 137.

Read twice and referred, 137.

Reported back, 179.

Indefinitely postponed, 179.

House Bill No. 104—(Murphy)

A bill for an act providing for an equal distribution of cars, prohibiting discriminations among shippers, and providing for reciprocal demurrage between railroads and shippers.

Introduced, 137.

Read twice and referred, 138.

Reported back, 934.

Indefinitely postponed, 934.

House Bill No. 105—(Anderson of Grand Forks)

A bill for an act to amend section 170, chapter 4, of the revised codes of 1905, the same relating to the manner of sale of school lands.

Introduced, 138.

Read twice and referred, 138.

House Bill No. 106—(Aaker)

A bill for an act to amend section 2494 of the revised codes of 1905 relating to the duties of state's attorneys.

Introduced, 138.

Read twice and referred, 138.

Reported back, 182.

Indefinitely postponed, 182.

House Bill No. 107—(Dean)

An act authorizing and prescribing the manner in which county workhouses may be erected and maintained.

Introduced, 138.

Read twice and referred, 138.

Reported back with amendments, 258.

Indefinitely postponed, 513.

Reconsidered and re-referred, 520.

Reported back with amendments, 583.

Amendments adopted, 881.

Passed the house, 966.

Received from senate with amendments, 1373-1375.

Amendments concurred in, 1409.

Other action, 1446.

House Bill No. 108—(Dean).

An act amending section 10088 of the revised codes of 1905, relating to criminal procedure.

Introduced, 138.

Read twice and referred, 138.

Reported back with amendments, 256.

Amendments adopted, 573.

Passed the house, 548.

Received from senate, passed, 1196.

Other action, 1274.

House Bill No. 109—(Martin of Morton)

A bill for an act to establish a plant for the manufacture of mowers, harvesters and binders at the state penitentiary

House Bill No. 109—Continued.

near Bismarck, N. D., and authorizing the board of trustees of the said penitentiary to construct and operate such plant, and prescribing for the sale of the products of such plant, and making an appropriation therefor.

Introduced, 138.

Read twice and referred, 139.

Reported back, 508.

Indefinitely postponed, 508.

House Bill No. 110—(Casey).

A bill for an act to prevent corrupt practices in election, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and provide penalties and remedies for the violation of this act.

Introduced, 139.

Read twice and referred, 139.

Re-referred, 183.

Reported back, 830.

Passed the house, 940.

Returned from senate indefinitely postponed, 1229.

House Bill No. 111—(Aaker)

A bill for an act to amend section 1 of chapter 60 of the laws of 1903 relating to increased jurisdiction of county courts.

Introduced, 146.

Read twice and referred, 146.

Reported back, 236.

Indefinitely postponed, 236.

House Bill No. 112—(Casey).

An act to amend section 829 of the revised codes of North Dakota for 1905, relating to education.

Introduced, 146.

Read twice and referred, 146.

Reported back, 381.

Re-referred, 465.

Reported back amended, 835.

Amendments adopted, 1019.

Passed the house, 1074.

Received from senate, passed, 1361.

Other action, 1248.

House Bill No. 113—(Martin of Morton)

A bill for an act to amend section 5511 of article 3 of chapter 50

House Bill No. 113—Continued.

of the civil code, relating to the loan of money.

Introduced, 146.

Read twice and referred, 146.

Reported back, 394.

Indefinitely postponed, 394.

House Bill No. 114—(Mockler)

A bill for an act to create superior courts in county seat cities of over two thousand population, fixing the jurisdiction and practice thereof and providing officers and compensation therefor.

Introduced, 146.

Read twice and referred, 147.

Reported back, 1007.

Indefinitely postponed, 1007.

Returned from the senate lost, 1337.

House Bill No. 115—(Mockler).

A bill for an act to protect the traveling public from being compelled to eat adulterated food stuffs served in hotels, restaurants, and boarding houses in the state of North Dakota, without having due notice thereof.

Introduced, 147.

Read twice and referred, 147.

Reported back with amendments, 259.

Amendments adopted, 327.

Passed the house, 421.

Returned from senate indefinitely postponed, 1336.

House Bill No. 116—(C. A. Johnson).

Amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Minot, county of Ward.

Introduced, 147.

Read twice and referred, 147.

Reported back, 831.

Passed the house, 942.

Received from senate with amendments, 1090.

Amendments concurred in, 1091.

Other action, 1030-1032-1126.

House Bill No. 117—(Graham)

A bill for an act to amend section 4079 of the revised codes of North Dakota, 1905, relating to rights and capacities of husband and wife.

House Bill No. 117—Continued.

Introduced, 147.
 Read twice and referred, 147.
 Reported back with amendments,
 237.
 Rereferred, 327.
 Reported back, 604.
 Indefinitely postponed, 604.

House Bill No. 118—(Tufte)

A bill for an act to repeal section
 9238 of the revised codes of
 North Dakota for 1905, being
 section 10 of chapter 188 of the
 session laws for 1905, relating
 to trusts, pools and combina-
 tions, and what is exempt.
 Introduced, 147.
 Read twice and referred, 147.
 Reported back, 179.
 Rereferred, 223.
 Amended, 1018.
 Rereferred, 1018.

House Bill No. 119—(Graham).

A bill for an act to amend and re-
 enact section 1582 of the re-
 vised codes of North Dakota of
 1905, relating to the redemp-
 tion of real estate from tax
 sale.
 Introduced, 147.
 Read twice and referred, 147.
 Reported back, 399.
 Passed the house, 489.
 Received from senate indefinite-
 ly postponed, 1249.

House Bill No. 120—(Moore).

An act to amend chapter 65 of the
 penal code of the revised codes
 of 1905 of the state of North
 Dakota, relating to the enforce-
 ment of the prohibition law.
 Introduced, 148.
 Read twice and referred, 148.
 Reported back, 234.
 Re-referred, 301.
 Reported back, 338.
 Passed the house, 426.
 Received from the senate,
 passed, 1120.
 Other action, 1157.

House Bill No. 121—(Wedge)

A bill for an act defining burglary
 with explosives, and prescrib-
 ing a penalty therefor.
 Introduced, 148.
 Read twice and referred, 148.

House Bill No. 121—Continued.

Reported back with amendments,
 181.
 Amendments adopted, 286.
 Indefinitely postponed, 313.

House Bill No. 122—(Wedge)

A bill for an act to provide for a
 notice to be served on a mort-
 gagor prior to the commence-
 ment of a foreclosure on real
 property.
 Introduced, 148.
 Read twice and referred, 148.
 Reported back, 397.
 Indefinitely postponed, 397.

House Bill No. 123—(Flamer)

A bill for an act to amend section
 2630 of the revised codes of
 1905 of the state of North
 Dakota, relating to appoint-
 ment of bailiffs.
 Introduced, 148.
 Read twice and referred, 148.
 Reported back, 179.
 Indefinitely postponed, 179.

House Bill No. 124—(Flamer)

A bill for an act to amend section
 8403 of the revised codes of
 1905 of the state of North Da-
 kota relating to how summons
 shall be served.
 Introduced, 148.
 Read twice and referred, 148.
 Reported back, 474.
 Indefinitely postponed, 474.

House Bill No. 125—(Hemmingsen)

A bill for an act to regulate the
 transportation of persons by
 common carriers operating rail-
 roads within or through the
 state of North Dakota, and the
 furnishing and use of free
 transportation.
 Introduced, 148.
 Read twice and referred, 149.

House Bill No. 126—(Graham)

A bill for an act to amend sections
 8040, 8041, 8042 of article 6
 of chapter 4 of the probate
 code of the revised codes of
 the state of North Dakota,
 1905, relating to the special
 proceedings for probate of
 heirship.
 Introduced, 149.
 Read twice and referred, 149.
 Reported back, 684.
 Indefinitely postponed, 684.

House Bill No. 127—(Law)

A bill for an act fixing the maximum charge for carrying passengers over any railroad in the state of North Dakota, and prescribing penalties for its violation.

Introduced, 160.

Read twice and referred, 160.

Reported back, 934.

Indefinitely postponed, 934.

House Bill No. 128—(Martin of Billings)

A bill for an act to amend and re-enact section 835 of the revised codes of state of North Dakota for the year 1905, providing for the enumeration of persons of school age by district clerks.

Introduced, 160.

Read twice and referred, 161.

Reported back, 835.

Indefinitely postponed, 835.

House Bill No. 129—(Brodie).

An act making an appropriation to pay school teachers for teaching under contract in school districts in unorganized territory in this state, which school districts were not lawfully organized, and providing the manner of submitting their respective claims.

Introduced, 161.

Read twice and referred, 161.

Reported back, 477.

Passed the house, 520.

Received from senate, passed, 886.

Other action, 921.

House Bill No. 130—(Plath)

A bill for an act to amend section 8366 of the revised codes of 1905 of the state of North Dakota, relating to service by publication.

Introduced, 161.

Read twice and referred, 161.

Reported back, 473.

Indefinitely postponed, 473.

House Bill No. 131—(Dibley).

An act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for

House Bill No. 131—Continued.

co-operating with farmers, for making experiments in the manufacture of denatured alcohol, for publishing reports and bulletins, for analysis of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws, and for making other experiments.

Introduced, 161.

Read twice and referred, 161.

Reported back with amendments, 507.

Amendments adopted, 555.

Passed the house, 558.

Received from senate with amendments, 890.

Amendments concurred in, 893.

Other action, 922.

House Bill No. 132—(Cunningham).

An act to regulate the manufacture and sale of dairy products and imitations and substitutes therefor, prescribing penalties for violations, to create the office of Assistant Dairy Commissioner, prescribing his duties and fixing his salary, and to repeal sections 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of the revised codes of 1905.

Introduced, 161.

Read twice and referred, 161.

Reported back with amendments, 255.

Amendments adopted, 328.

Passed the house, 422.

Received from senate, passed, 1122.

Other action, 1233.

House Bill No. 133—(Purdon)

A bill making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for equipment and furniture, for library, book cases and library furniture, and maintenance of school for two years beginning January 1, 1907, for the North Dakota academy of science, located at Wahpeton, North Dakota.

House Bill No. 133—Continued.

Introduced, 161.

Read twice and referred, 162.

Reported back, 734.

Indefinitely postponed, 734.

House Bill No. 134—(Peake).

An act to appropriate \$5,894.93 to balance overdraft and reimburse citizens who advanced money to help defray expenses incurred in making the state's exhibit at the Portland (Lewis and Clark) exposition.

Introduced, 162.

Read twice and referred, 162.

Reported back, 478.

Passed the house, 543.

Received from senate, passed, 886.

Other action, 922.

House Bill No. 135—(Tofsrud).

A bill for an act to amend section 1216 of the revised codes of 1895, being section 1531 of the revised codes of North Dakota, relating to the state board of equalization.

Introduced, 162.

Read twice and referred, 162.

Reported back, 337.

Amended and passed the house, 424.

Returned from senate indefinitely postponed, 532.

House Bill No. 136—(Committee on Public Printing)

A bill for an act to repeal section 2282 of the revised codes of North Dakota, for 1905, being chapter 125 of the session laws of the state of North Dakota for the year 1899, relating to public printing.

Introduced, 162.

Read twice and referred, 162.

Reported back, 287.

Rereferred, 314.

Reported back, 671.

Indefinitely postponed, 671.

House Bill No. 137—(O. J. Sorlie).

An act relating to the use of railroad tracks for highway purposes.

Introduced, 162.

Read twice and referred, 162.

Reported back, 319.

Passed the house, 423.

Received from senate, passed, 1122.

Other action, 1235.

House Bill No. 138—(Piper).

A bill for an act to amend section 850 of the revised codes of 1905 of the state of North Dakota, concerning report of treasurers of school districts.

Introduced, 163.

Read twice and referred, 163.

Reported back, 235.

Passed the house, 303.

Received from senate indefinitely postponed, 756.

House Bill No. 139—(Sorley of Grand Forks)

A bill for an act authorizing and empowering the governor of the state to remove and suspend certain state and county officials who have been guilty of malfeasance or nonfeasance in the performance of their official duties, or who are guilty of habitual drunkenness, and providing for the filling of vacancies caused by such suspension or removal.

Introduced, 163.

Read twice and referred, 163.

Reported back with amendments, 291.

Amendments adopted, 514.

Lost, 551.

House Bill No. 140—(Graham)

A bill for an act to amend sections 6237, 6238, 6240, 6242, 6243, 6244, 6250, of chapter 79 of the revised codes of 1905, relating to mechanics' liens.

Introduced, 163.

Read twice and referred, 163.

Reported back, 903.

Indefinitely postponed, 903.

House Bill No. 141—(Buttz)

A bill for an act making an appropriation to enable the commissioner of agriculture and labor to make the proper exhibit of the products of the state at the Jamestown exposition at Jamestown, Va., and to provide for the current expenses of his department.

Introduced, 171.

Read twice and referred, 171.

House Bill No. 142—(Freeman)

A bill for an act providing a method of taking away the increased jurisdiction of county courts.

Introduced, 172.

Read twice and referred, 172.

Reported back with amendments, 236.

Amendments adopted, 327.

Passed the house, 420.

Received from senate indefinitely postponed, 1342.

House Bill No. 143—(Syvertson)

A bill for an act entitled an act to amend section 1426 of the revised codes of 1905.

Introduced, 172.

Read twice and referred, 172.

Reported back, 380.

Indefinitely postponed, 380.

House Bill No. 144—(Dean)

An act providing a contingent fund for the use of the state's attorney for the payment of such expenses as are necessary and not otherwise provided for in securing evidence in criminal cases, and providing for the auditing and payment of such expenditures.

Introduced, 172.

Read twice and referred, 172.

Reported back, 256.

Passed the house, 308.

Received from senate, passed, 1266.

Other action, 1321.

House Bill No. 145—(Ueland)

A bill for an act to appropriate money in aid of the horticultural society.

Introduced, 173.

Read twice and referred, 173.

Reported back, 477.

Indefinitely postponed, 477.

House Bill No. 146—(Bernt Anderson)

A bill for an act to amend section 6237 and section 6238 of the Revised Codes of 1905 relating to mechanic's liens.

Introduced 173

Read twice and referred, 173.

Reported back, 929.

Indefinitely postponed, 929.

House Bill No. 147—(Moore)

A bill for an act to amend section 1195 of the Revised Codes of North Dakota, of 1905, relating to the care of patients at the state hospital for the insane.

Introduced, 173.

Read twice and referred, 173.

Reported back, 598.

Indefinitely postponed, 598.

House Bill No. 148—(Tofsrud)

A bill for a concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state normal school in the city of Rugby, county of Pierce.

Introduced, 173.

Read twice and referred, 173.

Reported back, 834.

Indefinitely postponed, 834.

House Bill No. 149—(Treat)

A bill for an act to amend section 4466 of the Revised Codes of 1905, relating to annual statements of insurance companies.

Introduced, 173.

Read twice and referred, 173.

Reported back, 381.

Indefinitely postponed, 381.

House Bill No. 150—(Miller)

An act amending section 2887 of the revised codes of 1905, relating to the powers of village marshals and to legalize past acts of village marshals.

Introduced, 173.

Read twice and referred, 173.

Reported back with amendments, 537.

Amendments adopted, 848.

Passed the house, 956.

Received from senate with amendments, 1396.

Amendments concurred in, 1408.

Other action, 1448.

House Bill No. 151—(Burgum)

A bill for an act to amend section 5743 of the revised codes of the state of North Dakota for the year 1905, relating to the foreclosure of mortgages of real property containing a power of sale, and limiting the time in which such mortgages

House Bill No. 151—Continued.

may be foreclosed by advertisement.

Introduced, 174.

Read twice and referred, 174.

Reported back with amendment, 398.

Amendment adopted, 696.

Passed the house, 862.

Received from senate indefinitely postponed, 1063.

House Bill No. 152—(Shirley)

An act to amend section 469 of the revised codes of North Dakota of 1905, relating to the boundaries and terms of court in the first judicial district.

Introduced, 174.

Read twice and referred, 174.

Reported back, 236.

Passed the house, 305.

Received from senate, passed, 1240.

Other action, 1274.

House Bill No. 153—(Shirley)

An act to regulate the operation of passenger and freight trains over railway lines in this state, and to regulate the receipt, transportation and delivery of freight by common carriers, and providing penalties for violations of the act.

Introduced, 174.

Read twice and referred, 174.

Reported back with amendments, 482.

Amendments adopted, 515.

Passed the house, 542.

Returned from senate amended and passed, 1008.

Amendments concurred in, 1095, reconsidered, 1095.

Special order, 1095.

Amendments concurred in, 1141.

Other action, 1358.

House Bill No. 154—(Tufte)

A bill for an act to amend section 1508 of the revised codes of 1905, relating to assessment of bank stocks.

Introduced, 174.

Read twice and referred, 174.

Reported back with amendments, 338.

Amendments adopted, 564.

Passed the house, 791.

Received from senate indefinitely postponed, 1341.

House Bill No. 155—(Blegen)

A bill for an act to provide for the enforcement of section 9319 of the revised codes of 1905, and other laws relating to cruelty to animals.

Introduced, 174.

Read twice and referred, 174.

Indefinitely postponed, 257.

House Bill No. 156—(Watts)

A bill for an act repealing chapter 83 of the laws enacted in the year 1901, being sections 84 and 85 of the revised codes of 1905, relating to making contracts for engrossing and enrolling bills.

Introduced, 174.

Read twice and referred, 175.

Reported back, 272.

Indefinitely postponed, 292.

House Bill No. 157—(Buttz)

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Introduced, 187.

Read twice and referred, 187.

House Bill No. 158—(Jones of Ransom, by request)

A bill for an act to amend section 433 of the revised codes of the state of North Dakota of 1905, relating to deputies and their bonds.

Introduced, 188.

Read twice and referred, 188.

Reported back, 254.

Indefinitely postponed, 254.

House Bill No. 159—(Shirley)

An act to amend section 2580 of the revised codes of North Dakota for 1905, relating to the salaries of clerks of the district court.

Introduced, 188.

Read twice and referred, 188.

Reported back, 582.

Passed the house, 790.

Received from senate, passed, 1338.

Other action, 1425.

House Bill No. 160—(Shirley, by request)

A bill for an act fixing the mileage and fees to be paid to constables, police officers, city and village marshals for serving and executing warrants, subpoenas, commitments, and any other legal papers in criminal cases.

Introduced, 188.

Read twice and referred, 188.

Indefinitely postponed, 395.

House Bill No. 161—(Rose)

A bill for an act regulating the date of the meeting of the county commissioners.

Introduced, 188.

Read twice and referred, 188.

Reported back with amendments, 271.

Amendments adopted, 513.

Passed the house, 550.

Received from senate indefinitely postponed, 756.

House Bill No. 162—(Treat)

An act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support.

Introduced, 202.

Read twice and referred, 202.

Reported back, 257.

Passed the house, 309.

Received from senate, passed, 1248.

Other action, 1320.

House Bill No. 163—(Oveson)

A bill for an act to amend sections 4305 and 4306 of the revised codes of 1905.

Introduced, 202.

Read twice and referred, 202.

Reported back with amendments, 448.

Amendments adopted, 701.

Lost, 865.

House Bill No. 164—(Committee on Live Stock)

A bill for an act indemnifying owners of animals killed or destroyed according to law for being affected with the disease known as glanders.

Introduced, 202.

Read twice and referred, 202.

House Bill No. 164—Continued.

Rereferred, 287.

Introduced substitute, 298.

Reported back, 605.

Indefinitely postponed, 605.

House Bill No. 165—(Garden)

An act providing for the levy and collection of road taxes in incorporated villages.

Introduced, 203.

Read twice and referred, 203.

Reported back, 471.

Passed the house, 800.

Received from senate with amendments, 1337.

Amendments concurred in, 1354.

Other action, 1425.

House Bill No. 166—(Rose)

A bill for an act to repeal all of chapter 79 of the revised codes of 1905, relating to mechanics' liens.

Introduced, 203.

Read twice and referred, 203.

Reported back, 903.

Indefinitely postponed, 903.

House Bill No. 167—(Chapman)

An act appropriating to Zeno Bruegger, clerk of the district court of Williams county, North Dakota, \$200 clerk's fees for services rendered in the unorganized territory attached to Williams county for judicial purposes during the years 1903 and 1904.

Introduced, 213.

Read twice and referred, 213.

Reported back, 924.

Indefinitely postponed, 924.

Passed the house, 992.

Returned from senate, passed, 1388.

Other action, 1458.

House Bill No. 168—(Anderson of Grand Forks)

An act to provide for the lighting of depot platforms.

Introduced, 213.

Read twice and referred, 213.

Reported back, 344.

Passed the house, 457.

Received from senate amended, 1192.

Amendments concurred in, 1199.

Other action, 1233.

House Bill No. 169—(Putnam)

For an amendment to the constitution of the state of North Dakota, providing for the purchase of and sale of school and public lands.

Introduced, 213.

Read twice and referred, 213.

Reported back, 476.

Re-referred, 525.

Reported back, 577.

Re-referred, 660.

Reported back with amendments, 995.

Passed the house, 1013.

Returned from senate with amendments, 1363.

Amendments adopted, 1371.

Other action, 1426.

House Bill No. 170—(Blegen)

A bill for an act to amend section 6237 of the revised code of the state of North Dakota, relative to mechanics' liens.

Introduced, 413.

Read twice and referred, 213.

Reported back, 903.

Indefinitely postponed, 903.

House Bill No. 171—(Johnson of Ward)

A bill for an act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and prescribe the number of senators and representatives therein.

Introduced, 213.

Read twice and referred, 213.

House Bill No. 172—(Purdon)

A bill for an act making appropriation for the improvement of the military camp grounds, located on Rock island, Ramsey county, North Dakota.

Introduced, 214.

Read twice and referred, 214.

Reported back, 924.

Indefinitely postponed, 924.

House Bill No. 173—(Freeman)

A bill for an act to define the senatorial and representative districts of the state of North Dakota and prescribe the number

House Bill No. 173—Continued.

of senators and representatives therein.

Introduced, 238.

Read twice and referred, 238.

House Bill No. 174—(Anderson of Grand Forks)

A bill for an act to amend section 1531 of the revised code of 1905 of the state of North Dakota. The same relating to the state board of equalization.

Introduced, 238.

Read twice and referred, 238.

Reported back, 579.

Indefinitely postponed, 579.

House Bill No. 175—(Shirley)

An act to amend section 9921 of the revised codes of the state of North Dakota of 1905, relating to the removal of actions.

Introduced, 238.

Read twice and referred, 238.

Reported back, 396.

Passed the house, 488.

Received from senate, passed, 1240.

Other action, 1274.

House Bill No. 176—(Shirley)

An act to amend section 9929 of the revised codes of 1905, of the state of North Dakota, relating to prejudice of judge.

Introduced, 238.

Read twice and referred, 238.

Reported back, 396.

Passed the house, 487.

Received from senate, amended, 1241.

Amendments concurred in, 1288.

Other action, 1357.

House Bill No. 177—(Tufte)

A bill for an act to amend section 4440 of the revised codes of North Dakota of 1905, relating to mutual insurance companies, premium and liabilities.

Introduced, 238.

Read twice and referred, 238.

Reported back, 380.

Indefinitely postponed, 380.

House Bill No. 178—(Tufte)

A bill for an act entitled "An act to amend section 1230, revised codes, 1899, North Dakota, relating to tax lists to be made out by county auditors."

House Bill No. 178—Continued.

Introduced, 238.
Read twice and referred, 239.
Reported back, 668.
Indefinitely postponed, 668.

House Bill No. 179—(Ueland)

An act appropriating money for the benefit of the North Dakota Live Stock Association and prescribing its duties.

Introduced, 25-
Read twice and referred, 239.
Reported back with amendments, 478.
Amendments adopted, 554.
Passed the house, 557.
Received from senate, passed, 887.
Other action, 922.

House Bill No. 180—(Duncan)

A bill for an act to repeal sections 2297, 2298 and 2299 of the political code as compiled in the revised codes of North Dakota for 1905, and to re-enact sections 2300, 2301 and 2302 of said chapter 28 of the said political code of North Dakota as compiled in the revised codes of North Dakota for 1905.

Introduced, 239.
Read twice and referred, 239.
Reported back, 1054.
Indefinitely postponed, 1054.

House Bill No. 181—(Piper)

A bill for an act to repeal section 9448 of the revised codes of North Dakota of 1905, relating to fraudulently obtaining food or accommodations at inns.

Introduced, 239.
Read twice and referred, 239.
Reported back, 830.
Indefinitely postponed, 830.

House Bill No. 182—(O. P. N. Anderson)

An act to amend sections 466 and 467 of chapter 7 of the political code of the state of North Dakota, providing for the distribution of supreme court reports.

Introduced, 239.
Read twice and referred, 239.
Reported back, 293.
Passed the house, 321.
Received from senate, passed, 1240.
Other action, 1327.

House Bill No. 183—(Burgum)

A bill for an act to amend chapter 24 of the laws of 1905, being sections 2213, 2218 and 2226, in relation to oil inspection.

Introduced, 239.
Read twice and referred, 240.
Reported back with amendments, 458.
Amendments adopted, 843.
Passed the house, 950.
Received from senate with amendments, 1107.
Amendments concurred in, 1145.
Other action, 1274.

House Bill No. 184—(Steen)

A bill for an act to amend section 2245 of the revised codes of 1905, relating to the license of grain warehouses.

Introduced, 260.
Read twice and referred, 260.
Reported back, amended, 431.
Amendment adopted, 700.
Passed house, 864.

House Bill No. 185—(Tufte)

A bill for an act to prohibit and punish the sale, offering for sale or bringing into the state for the purpose of selling, cigarettes, cigarette paper or substitute for the same, and to prohibit and punish the use of cigarettes, cigars or tobacco by persons under 18 years of age, and to prohibit and punish the carrying or having by any person under 18 years of age of any cigarettes, cigars or tobacco, and to prohibit and punish the harboring of persons under 18 years of age, or permitting them to gather or frequent any place or premises to indulge in the use of cigarettes, cigars or tobacco, and to repeal section 9078 of the revised codes of 1905.

Introduced, 260.
Read twice and referred, 261.
Reported back, 1057.
Indefinitely postponed, 1057.

House Bill No. 186—(Jones of Ransom)

A bill for an act to amend section 4323 of the revised codes of North Dakota for 1905, relating to transfer facilities at

House Bill No. 186—Continued.

track crossings at grade of common carriers, and determining how the expenses of such track crossings shall be paid.

Introduced, 261.

Read twice and referred, 261.

Reported back, 449.

Indefinitely postponed, 449.

House Bill No. 187—(Buttz)

A bill for an act to extend time for the payment of real estate taxes for the year 1906.

Introduced, 261.

Read twice and referred, 261.

House Bill No. 188—(Dibley)

A bill for an act providing for a regulation of labor, bureau of labor, employment bureaus and state board of arbitration.

Introduced, 261.

Read twice and referred, 261.

Reported back, 508.

Indefinitely postponed, 508.

House Bill No. 189—(Johnson of Sargent)

An act to amend section 1367 of the revised codes of 1905 of North Dakota, relating to highways on county and township lines.

Introduced, 261.

Read twice and referred, 261.

Reported back, 450.

Passed the house, 493.

Received from senate, passed, 1181.

Other action, 1234.

House Bill No. 190—(Haugen)

An act providing for the seizure and confiscation of intoxicating liquors imported into the state of North Dakota in violation of law.

Introduced, 276.

Read twice and referred, 276.

Reported back, 345.

Passed the house, 460.

Received from senate, amended, 1230.

Amendments concurred in, 1284.

Other action, 1327.

House Bill No. 191—(Haugen)

A bill for an act to amend section 9371 of Revised Codes of 190

Introduced, 277.

Read twice and referred, 277.

Reported back, 345.

Re-referred, 463.

Reported back, 604.

Indefinitely postponed, 604.

House Bill No. 192—(Sorley of Grand Forks.

For an Act to amend sections 10381 and 10382 of the Revised Codes of 1905, relating to the establishment and regulation of twine and cordage plant.

Introduced, 277.

Read twice and referred, 277.

Reported back, 600.

Indefinitely postponed, 600.

House Bill No. 193—(Sorley of Grand Forks)

A bill for an act creating the office of state fire marshal: and providing for the appointment of state fire marshal: term: bond: removal: deputy and his duties: vacancies: duties of marshal in connection with other officers to investigate fires: notification of fire to marshal: record of fires: testimony under oath: arrest of suspected persons: deputy to summon and enforce attendance of witnesses: false swearing: contempt: power to enter buildings: investigation may be in private: right of marshal and other officers upon complaint to enter buildings for purposes of investigation: may order removal of inflammable or explosive material: penalty for non-compliance: sheriff or constable or witnesses, how paid: state fire marshal authorized to employ stenographer, salary of, office help, salary of: state fire marshal to be state chief of fire departments: duty of commissioner of insurance, governor and auditor: withholding funds: penalty for neglect of official duty: salaries of marshal and deputy: tax and insurance companies to defray expenses of department:

House Bill No. 193—Continued.

itemized statement of expenses:
annual report: marshal not to
engage in mercantile business:
compensation of various offi-
cers for reporting fires.

Introduced, 277.

Read twice and referred, 277.

Reported back with amend-
ments, 504.

Indefinitely postponed, 846.

House Bill No. 194—(Sorley of Grand Forks)

For an Act to Provide for the Bet-
ter Protection of Life and
Property, by Establishing a
Board of Inspectors to Inspect
Steam Vessels and Steam
Boilers, and Provide for the
Licensing of Engineers of
Steam Engines, and Masters
and Pilots of Steamboats, on
the Inland Waters of the State
of North Dakota.

Introduced, 278.

Read twice and referred, 278.

Reported back, 394.

Indefinitely postponed, 394.

House Bill No. 195—(Haugen)

An act providing for the publica-
tion and registration of special
tax receipts or licenses from
the government of the United
States to sell distilled, malt
and fermented liquors, issued
to persons in North Dakota,
the payment and collection of
registration fees and publica-
tion fees, regulating the post-
ing and exhibiting of such tax
receipts or licenses, prescribing
the duties of officials and own-
ers and lessors of property in
relation thereto, prescribing
penalties for failure to per-
form the duties prescribed and
other regulations pertaining
to the sale of intoxicating li-
quors.

Introduced, 278.

Read twice and referred, 278.

Reported back, 346.

Amended and passed the house,
463.

Received from senate amended,
1124.

Amendments concurred in, 1146.

Other action, 1328.

House Bill No. 196—(Chapman, by request)

For an Act Concerning Public
Highway Improvements, Creat-
ing a State Highway Commis-
sion, Defining its Duties and
Certain Powers and Duties of
the State Engineer in Connea-
tion Therewith, and Making an
Appropriation Therefor.

Introduced, 278.

Read twice and referred, 278.

Reported back, 508.

Indefinitely postponed, 508.

House Bill No. 197—(Sorley of Grand Forks)

A bill for an act entitled, "An act
providing for the surrender
and novation of contracts of
purchase of state or school
lands of deceased persons."

Introduced, 278.

Read twice and referred, 278.

Reported back, 927.

Indefinitely postponed, 927.

House Bill No. 198—(Chapman)

An act to amend section 777 of the
revised codes of 1905, relating
to education.

Introduced, 279.

Read twice and referred, 279.

Reported back, 474.

Passed the house, 523.

Received from the senate,
passed, 1121.

Other action, 1235.

House Bill No. 199—(Nelson of Traill)

An act to amend section 9366 of
the revised codes of 1905,
same being section 7598 of the
revised codes of 1899, defin-
ing what shall be considered
and held to be intoxicating li-
quors.

Introduced, 279.

Read twice and referred, 279.

Reported back, 345.

Passed the house, 461.

Received from the senate,
passed, 1120.

Other action, 1235.

House Bill No. 200—(Shirley)

For an act providing for the levy
and collection of road taxes in
incorporated villages.

Introduced, 279.

Read twice and referred, 279.

Indefinitely postponed, 537.

House Bill No. 201—(Stevens)

An act to amend section 8022 of the revised codes of 1905, relating to letters of administration, and who entitled to same.
 Introduced, 279.
 Read twice and referred, 279.
 Reported back, 395.
 Passed the house, 484.
 Received from senate, passed, 1196.
 Other action, 1320.

House Bill No. 202—(Anderson of Grand Forks)

A bill for an act to provide for a commission on higher education and defining the duties of the same.
 Introduced, 279.
 Read twice and referred, 279.
 Reported back, 833.
 Indefinitely postponed, 833.

House Bill No. 203—(Anderson of Grand Forks)

An act to amend section 4516 of the revised codes of North Dakota for 1905, relating to corporations.
 Introduced, 279.
 Read twice and referred, 279.
 Reported back with amendments, 403.
 Amendments adopted, 403.
 Passed the house, 491.
 Title amended, 492.
 Received from senate, passed, 1144.
 Other action, 1234.

House Bill No. 204—(Anderson of Grand Forks)

For an act to prohibit sales of merchandise in fraud of creditors.
 Introduced, 280.
 Read twice and referred, 280.
 Reported back, 600.
 Indefinitely postponed, 600.

House Bill No. 205—(Sinclair)

An act to repeal sections 1195 and 1196 of the North Dakota revised codes of 1905, and sections 1, 2, 3 and 4 of chapter 76 of the session laws of 1905, being sections 1910, 1911 and 1912 of the revised codes of North

House Bill No. 205—Continued.

Dakota of 1905, and further to provide for the admission to the state hospital for the insane of residents of other states and territories, and for the payment for such care and treatment and to provide for the payment by the proper county or the state at large for the care and treatment of all inmates of such state hospital for the insane, and to determine the legal residence of all such patients, and to provide for reimbursing of the county from the estate of the patient for such care and treatment, and to provide penalties for the non-enforcement of this act.

Introduced, 280.
 Read twice and referred, 280.
 Reported back with amendments, 669.
 Passed the house, 878.
 Returned from senate, passed, 1247.
 Other action, 1327.

House Bill No. 206—(Buttz)

An act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.
 Introduced, 280.
 Read twice and referred, 280.
 Reported back, 339.
 Lost, 439.
 Reconsidered, 450.
 Amended and passed the house, 483.
 Received from senate amended, 1123.
 Amendments concurred in, 1149.
 Other action, 1234.

House Bill No. 207—(Midgarden)

An act to amend section 1484 of the political codes of North Dakota, 1905, relating to property exempt from taxation.
 Introduced, 284.
 Read twice and referred, 284.
 Reported back, 339.
 Re-referred, 489.
 Reported back with amendments, 535.
 Amendments adopted, 848.
 Amended, 955.

House Bill No. 205—Continued.

Passed the house, 955.
Received from senate, passed,
1361.
Other action, 1458.

House Bill No. 208—(Stevens)

A bill for an act entitled, an act to amend section 1933, of the revised codes of 1905, relating to when stock may run at large.
Introduced, 284.
Read twice and referred, 284.
Reported back, 400.
Referred to general orders, 400.
Amendments adopted, 689.
Passed the house, 898.
Returned from senate indefinitely postponed, 1336.

House Bill No. 209—(Freeman)

A bill for an act relating to appeals from justices' courts in civil actions.
Introduced, 284.
Read twice and referred, 284.
Reported back, 471.
Indefinitely postponed, 471.

House Bill No. 210—(Collins)

An act to amend section 5572 of the revised codes of 1905, relating to master and servant.
Introduced, 284.
Read twice and referred, 284.
Reported back, 828.
Passed the house, 987.
Received from senate, passed, 1338.
Other action, 1413.

House Bill No. 211—(Bergum)

An act to provide an appropriation for the payment of premiums and awards by the North Dakota Poultry Association, and to provide for the establishment of a state poultry association.
Introduced, 284.
Read twice and referred, 284.
Reported back with amendments, 735.
Amendments adopted, 905.
Passed the house, 906.
Received from senate, passed, 1200.
Other action, 1273.

House Bill No. 212—(Thoreson)

A bill for an act to amend section 4337 of the revised codes of North Dakota, relating to distribution of cars.
Introduced, 284.
Read twice and referred, 285.
Reported back, 719.
Indefinitely postponed, 719.

House Bill No. 213—(Johnson of Ward)

A bill for an act to amend section 8316, revised codes of 1905, relating to the salary of county judges in counties having increased jurisdiction.
Introduced, 285.
Read twice and referred, 285.
Reported back, 339.
Re-referred, 440.
Reported back, 926.
Indefinitely postponed, 926.

House Bill No. 214—(Moore)

An act empowering boards of county commissioners to dispose of property which any county may have acquired through purchase, forfeiture or operation of law.
Introduced, 285.
Read twice and referred, 285.
Reported back, 446.
Passed the house, 521.
Received from senate, passed, 1121.
Other action, 1235.

House Bill No. 215—(Anderson of Grand Forks)

A bill for an act to provide for the lighting of the executive mansion with electricity to be furnished by the electric light plant at the capitol.
Introduced, 285.
Read twice and referred, 285.
Reported back, 378.
Re-referred, 465.
Reported back, 597.
Indefinitely postponed, 597.

House Bill No. 216—(Anderson of Grand Forks)

For an act to prohibit corrupt practices and to provide for the publication of the names of all persons contributing articles for publication.
Introduced, 285.
Read twice and referred, 285.
Reported back, 507.
Indefinitely postponed, 507.

House Bill No. 217—(Thoreson)

A bill for an act granting to threshermen the right to cross the lands of private owners to avoid narrow grades, defective bridges, creek bottoms and rivers in moving from one farm to another.

Introduced, 296.

Read twice and referred, 296.

House Bill No. 218—(Bernt Anderson)

A bill for an act to repeal section 3111 of the revised codes of North Dakota, 1905, relating to terms of office of township officers.

Introduced, 296.

Read twice and referred, 296.

Reported back amended, 379.

Amendments adopted, 695.

Passed the house, 860.

Returned from senate indefinitely postponed, 1060.

House Bill No. 219—(Dibley)

An act to amend sections 1378 and 1380 of the revised codes of 1905, relating to location and building of bridges.

Introduced, 297.

Read twice and referred, 297.

Reported back, 449.

Re-referred, 517 and 539.

Reported back with amendments, 599.

Amendments adopted, 883.

Passed the house, 959.

Received from senate, passed, 1318.

Other action, 1357.

House Bill No. 220—(Ueland)

An act amending sections 7608 and 7609 of the revised codes of 1905, and making the state engineer ex-officio coal mine inspector of the state.

Introduced, 297.

Read twice and referred, 297.

Reported back with amendments, 579.

Amendments adopted, 881.

Passed, 968.

Received from senate, passed, 1338.

Other action, 1425.

House Bill No. 221—(Anderson of Grand Forks)

An act authorizing the state auditor to audit the salary and expense account of E. F. Chandler, state engineer, for the months of February and March, 1905, and making an appropriation to pay the same.

Introduced, 297.

Read twice and referred, 297.

Reported back, 477.

Passed the house, 527.

Received from the senate, passed, 887.

Other action, 921.

House Bill No. 222—(White)

For an act to amend section 9328 of the revised codes of North Dakota for 1905, relating to the malicious injury to freehold.

Introduced, 297.

Read twice and referred, 297.

Reported back, 394.

Indefinitely postponed, 394.

House Bill No. 223—(Aaker, by request)

A bill for an act to amend section 1539 of the revised code of the State of North Dakota for 1905, relative to the levy, collection and expenditure of road tax.

Introduced, 297.

Read twice and referred, 297.

Reported back, 718.

Indefinitely postponed, 718.

House Bill No. 224—(Stevens)

A bill for an act to repeal article 1 of chapter 30 of the code of civil procedure relating to the foreclosure of mortgages by advertisement.

Introduced, 297.

Read twice and referred, 298.

Reported back, 395.

Passed the house, 485.

Returned from senate indefinitely postponed, 941.

House Bill No. 225—(House Committee on Live Stock)

An act indemnifying owners for animals killed or destroyed according to law for being af-

House Bill No. 225—Continued.

fectured with the disease known as glanders.

Introduced, 298.

Read twice and referred, 298.

Reported back, 515.

Passed the house, 553.

Received from senate, amended, 1122.

Amendments concurred in, 1151.

Other action, 1234.

House Bill No. 226—(Blegen, by request)

For an act to amend sections 1933, 1934, 1935, 1836 and 1937 of the revised codes of the State of North Dakota relating to stock running at large.

Introduced, 298.

Read twice and referred, 298.

Reported back, 402.

Indefinitely postponed, 402.

House Bill No. 227—(White)

A bill for an act to amend section 2441 revised codes of 1905, relating to designation of county depositories.

Introduced, 298.

Read twice and referred, 298.

Reported back, 582.

Passed the house, 660.

Received from senate indefinitely postponed, 887.

House Bill No. 228—(Johnson of Ward)

A bill for an act providing for the election of tax collectors and for the collection of delinquent personal property taxes.

Introduced, 321.

Read twice and referred, 321.

Reported back, 1052.

Indefinitely postponed, 1052.

House Bill No. 229—(Miller)

A bill for an act to establish and permanently fix the state fair at Devils Lake, in Ramsey county, North Dakota, making appropriation therefor, and to repeal sections 1306 and 1307 of the revised codes of the State of North Dakota for the year 1905.

Introduced, 321.

Read twice and referred, 321.

Reported back with majority and minority reports, 874.

Special order, 1027.

Indefinitely postponed, 1144.

House Bill No. 230—(Thoreson)

An act to amend section 1937 of the revised codes of 1905, relating to estrays.

Introduced, 321.

Read twice and referred, 321.

Reported back, 399.

Passed the house amended, 490.

Received from senate amended, 1208.

Amendments concurred in, 1285.

Other action, 1358.

House Bill No. 231—(Streeter)

A Concurrent Resolution.

Introduced, 346.

Read twice and referred, 346.

Reported back, 472.

Indefinitely postponed, 472.

House Bill No. 232—(Martin of Morton)

An act to amend section 9312 of the revised codes of 1905, making it a misdemeanor to injure or obstruct electric wires.

Introduced, 347.

Read twice and referred, 347.

Reported back, 534.

Passed the house, 653.

Received from senate, passed, 1121.

Other action, 1235.

House Bill No. 233—(Haugen, by request)

A bill for an act entitled, an act making the use of any store, house, shop or other building or any basement or room therein, or any lot, block or other parcel of land situated within this state, for the purpose of carrying on the business of selling intoxicating liquor therein or thereon or keeping for sale, intoxicating liquors, or maintaining thereon a place where intoxicating liquors are sold or kept with intent to be sold, an unlawful use of said premises, and providing for the assessment and levying of a tax against any such premises so used; and providing for the collection of such tax and the procedure for the removal thereof, when unlawfully assessed.

House Bill No. 233—Continued.

Introduced, 347.
Read twice and referred, 347.
Reported back, 717.
Passed the house, 857.
Received from senate indefinitely postponed, 1402.

House Bill No. 234—(Pugh)

A bill for an act to amend section 9358 of the revised codes of the state of North Dakota for the year 1905, relating to prohibition, and to repeal sections 9354, 9355, 9356, 9357 and 9358 of said codes.

Introduced, 347.
Read twice and referred, 347.
Reported back, 736.
Passed the house, 856.
Returned from senate indefinitely postponed, 1229.

House Bill No. 235—(Gibbens)

A Concurrent Resolution.

Introduced, 347.
Read twice and referred, 347.
Reported back with amendments, 576.
Amendments adopted, 1027.

House Bill No. 236—(Cunningham)

A bill for an act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Introduced, 347.
Read twice and referred, 348.
Reported back with amendments, 448.
Amendments adopted, 1027.

House Bill No. 237—(J. A. Sorley)

An act to amend section 444 of the revised codes of North Dakota for 1905, relating to the employment of stenographer by the supreme court.

Introduced, 348.
Read twice and referred, 348.
Reported back, 472.
Passed the house, 522.
Received from senate, passed, 1121.
Other action, 1235.

House Bill No. 238—(Peake)

A bill for an act to amend section 4641 of the revised codes of 1905, relative to capital stock of banking corporations.

Introduced, 408.
Read twice and referred, 408.
Reported back, 937.
Lost, 994.

House Bill No. 239—(Rose of Dickey)

A bill for an act appropriating \$2,500 to the department of state for indexing and classifying valuable documents and records.

Introduced, 409.
Read twice and referred, 409.
Reported back, 733.
Indefinitely postponed, 733.

House Bill No. 240—(Chapman)

An act creating and establishing an irrigation and dry farming experiment station at or near Williston, in Williams county, providing for its management and making an appropriation therefor.

Introduced, 409.
Read twice and referred, 409.
Reported back, 923.
Indefinitely postponed, 923.
Reconsidered, 1178.
Passed the house, 1178.
Received from senate, passed, 1316.
Other action, 1357.

House Bill No. 241—(Burgum)

A bill for an act amending and re-enacting sections 2361 and 2364 of the revised codes of 1905, relating to county seats.

Introduced, 409.
Read twice and referred, 409.
Reported back, 581.
Passed the house, 659.
Received from senate, passed, 1255.
Other action, 1321.

House Bill No. 242—(Collins)

An act to amend section 1584 of the revised codes of the state of North Dakota, relating to the rights of purchaser of land at sale for the non-payment of taxes.

House Bill No. 242—Continued.

Introduced, 409.

Read twice and referred, 409.

Reported back, 818.

Passed the house, 946.

Received from senate, passed, 1355.

Other action, 1458.

House Bill No. 243—(Adams)

An act to amend section 2869 of the revised codes of 1905, providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Introduced, 409.

Read twice and referred, 409.

Reported back with amendments, 727.

Amendments adopted, 912.

Passed the house, 974.

Received from senate with amendments, 1397.

Amendments concurred in, 1419.

Other action, 1458.

House Bill No. 244—(Thoreson)

A bill for an act to provide for a lien upon threshing machines by threshing laborers.

Introduced, 410.

Read twice and referred, 410.

Reported back, 902.

Indefinitely postponed, 902.

House Bill No. 245—(Rose)

A bill for an act authorizing the railroad commissioners to declare the franchise and charter granted to railway companies, forfeited upon the removal by such railway companies of any litigated matter from the state court to the federal court.

Introduced, 410.

Read twice and referred, 410.

Reported back, 685.

Indefinitely postponed, 685.

House Bill No. 246—(Anderson of Grand Forks)

A bill for an act to amend sections 8040, 8041, 8042, 8043, 8044 and 8045 of the revised codes of 1905, relating to the probate of heirship.

Introduced, 410.

Read twice and referred, 410.

Reported back, 683.

Indefinitely postponed, 683.

House Bill No. 247—(Committee on Public Health)

A bill for an act to preserve the public health by regulating and prohibiting the use of feeding or unwholesome food products to live stock or animals used or kept for consumption as a food and by prohibiting the sale, barter or disposition of the same and all dressed or infected meats or food products therefrom.

Introduced, 410.

Read twice and referred, 410.

Reported back, 199.

Indefinitely postponed, 199.

House Bill No. 248—(Giedt)

An act to amend section 5678 of the civil code of the revised codes of the state of North Dakota, edition of 1905 (being section 4230 of the civil code of the revised codes of the state of North Dakota, edition of 1895), and re-enact the same as amended.

Introduced, 410.

Read twice and referred, 410.

Reported back, 471.

Passed the house, 546.

Received from senate, passed, 1191.

Other action, 1233.

House Bill No. 249—(Berndt Anderson)

A bill for an act to enable purchasers of any article of commerce to set up defects in such article of commerce as a counter claim in an action for the purchase price thereof, notwithstanding provisions of the contract of sale to the contrary.

Introduced, 411.

Read twice and referred, 411.

Reported back with amendments, 819.

Amendments adopted, 1018.

Passed the house, 1071.

House Bill No. 250—(Bernt Anderson)

A bill for an act to amend section 2432 of the revised codes of North Dakota 1905 relating to the publishing of the proceedings of the board of county

House Bill No. 250—Continued.

commissioners and designating the official newspapers for the county.

Introduced, 411.

Read twice and referred, 411.

Reported back, 1005.

Indefinitely postponed, 1005.

House Bill No. 251—(Miller)

A bill for an act to amend section 4073 of the revised codes of the State of North Dakota of the revision of 1905 being chapter 78 of the session laws of 1899, relating to the granting of alimony in divorce cases.

Introduced, 411.

Read twice and referred, 411.

Reported back with amendments, 472.

Amendments adopted, 843.

Indefinitely postponed, 959.

House Bill No. 252—(Tofsrud)

A bill for an act regulating the employment of legislative lobby council and agents and prohibiting such council and agents from attempting to influence members of the legislature other than by appearing before the committees thereof, also providing for the return of legislative expenses.

Introduced, 411.

Read twice and referred, 411.

Reported back, 581.

Passed the house, 661.

Received from the senate, indefinitely postponed, 877.

House Bill No. 253—(Tofsrud)

A bill for an act providing for the appointment of a state legislative reference statistician, prescribing his duties, fixing his compensation, and making an appropriation therefor.

Introduced, 411.

Read twice and referred, 412.

Reported back, 732.

Indefinitely postponed, 732.

House Bill No. 254—(Gibbens)

A bill for an act amending section 926 of the revisel codes of 1905 relating to the making of time deposits of the sinking fund, or other revenue of a city or school district.

House Bill No. 254—Continued.

Introduced, 412.

Read twice and referred, 412.

Reported back with amendments, 506.

Amendments adopted, 847.

House Bill No. 255—(Sorlie of Traill)

A bill for an act to amend sections 1031, 1032, 1033, 1034, 1035, 1036 and 1037 of chapter 9, article 25 of the revised code of 1905, relating to education and creating a new section providing that high schools may be classified as accredited schools of the university of North Dakota, and repealing all acts in conflict therewith.

Introduced, 412.

Read twice and referred, 412.

Reported back, 834.

Indefinitely postponed, 834.

House Bill No. 256—(Hannawalt)

A bill for an act entitled an act creating the office of district game wardens for the state of North Dakota and providing for the enforcement of the game laws thereof.

Introduced, 412.

Read twice and referred, 412.

Reported back, 575.

Indefinitely postponed, 575.

House Bill No. 257—(Sorlie of Traill)

A bill for an act to authorize the purchase of tools and machinery for making roads.

Introduced, 412.

Read twice and referred, 412.

Reported back, 450.

Other action, 493.

Indefinitely postponed, 596.

House Bill No. 258—(Steen)

A bill for an act providing for the creating of a fund by and in each of the several state banks of this state, for the payment of unsecured deposits in any of such banks that may hereafter become insolvent.

Introduced, 412.

Read twice and referred, 413.

Reported back, 535.

Lost, 654.

House Bill No. 259—(Tofsrud)

A bill for an act to provide for the collection of delinquent personal taxes.

Introduced, 413.

Read twice and referred, 413.

Reported back, 584.

Passed the house, 789.

Returned from senate indefinitely postponed, 1229.

House Bill No. 260—(Gibbens, by request)

A bill for an act making an appropriation to defray the expense of prospecting the lands granted the state under the enabling act so as to reserve the lands bearing coal from sale, and providing for the employment of a mining engineer and other help.

Introduced, 413.

Read twice and referred, 413.

Reported back, 732.

Indefinitely postponed, 733.

House Bill No. 261—(Dibley)

A bill for an act to amend sections 1311, 1312 and to repeal section 1315, revised codes of North Dakota, 1905, relating to county fairs.

Introduced, 413.

Read twice and referred, 413.

Reported back, 827.

Indefinitely postponed, 827.

House Bill No. 262—(Dibley)

An act to amend sections 4608 and 4609 of chapter 18 of the revised codes of North Dakota, 1905, relating to, debts limited, and income and expenses, respectively, of agricultural fair corporations.

Introduced, 413.

Read twice and referred, 413.

Reported back, 601.

Passed the house, 798.

Received from senate, passed, 1266.

Other action, 1320.

House Bill No. 263—(Brodie)

An act providing for the keeping of books containing statistical information to be furnished to the commissioner of agriculture and labor, and for the

House Bill No. 263—Continued.

making of reports regarding such statistics, and prescribing a penalty for violation.

Introduced, 413.

Read twice and referred, 414.

Reported back with amendments, 667.

Amendments adopted, 884.

Passed the house, 964.

Received from senate, passed, 1339.

Other action, 1425.

House Bill No. 264—(Purdon, by request)

A bill for an act entitled "An act to amend sections 938, 939, 940, 942 and 943 of article 19 of chapter 9 of political code of State of North Dakota, revised codes of 1905, relating to school districts.

Introduced, 414.

Read twice and referred, 414.

House Bill No. 265—(Burgum)

A bill for an act to amend section 8314 of the revised codes of 1905, of the State of North Dakota.

Introduced, 414.

Read twice and referred, 414.

Reported back, 926.

Indefinitely postponed, 926.

House Bill No. 266—(Mathews)

A bill for an act to amend section 1310 of the revised codes of 1905, relating to the law for aid of county fairs.

Introduced, 434.

Read twice and referred, 434.

Reported back, 825.

Indefinitely postponed, 825.

House Bill No. 267—(Johnson of Pembina)

A bill for an act entitled: "An act to amend sections 2358, 2359 and 2361 of the revised codes of 1905, relating to the removal of county seats."

Introduced, 434.

Read twice and referred, 434.

Re-referred, 794.

Reported back, 995.

Indefinitely postponed, 995.

House Bill No. 268—(Piper)

A bill for an act to amend and re-enact section 2584 of the revised codes of 1905, relating to fees that clerks of the district court shall charge and collect, and repealing section 2585 of the revised codes of 1905.

Introduced, 434.

Read twice and referred, 434.

Reported back, 822.

Indefinitely postponed, 822.

House Bill No. 269—(Peake)

A bill for an act entitled an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Introduced, 435.

Read twice and referred, 435.

Reported back with amendments, 537.

Amendments adopted, 1027.

House Bill No. 270—(Blegen)

A bill for an act to secure district libraries and appropriate money therefor.

Introduced, 435.

Read twice and referred, 435.

Reported back, 733.

Re-referred, 733.

Reported back, 901.

Indefinitely postponed, 901.

House Bill No. 271—(Burdick)

A bill for an act to amend section 6266 of chapter 82 of the revised codes of North Dakota for 1905 relating to liens for keeping and pasturing stock.

Introduced, 435.

Read twice and referred, 435.

Reported back, 473.

Passed the house, 524.

Returned from senate indefinitely postponed, 1230.

House Bill No. 272—(Halaas)

For an act authorizing and empowering mechanics, watchmakers, goldsmiths and repairers to sell articles and implements to reimburse them for labor or material expended on such articles and implements, and regulating the disposition of the proceeds of such sale.

Introduced, 435.

Read twice and referred, 435.

Reported back, 582.

Indefinitely postponed, 582.

House Bill No. 273—(Ganssle)

A bill for an act to amend sections 808, 810 and 818, of the revised codes of the State of North Dakota.

Introduced, 435.

Read twice and referred, 435.

Reported back, 833.

Indefinitely postponed, 833.

House Bill No. 274—(Giedt)

An act for the organization of villages, towns or cities in territory embracing more than one county.

Introduced, 435.

Read twice and referred, 435.

Reported back, 536.

Passed the house, 657.

Received from senate, passed, 1121.

Other action, 1233.

House Bill No. 275—(Special Committee on Weights and Measures)

An act designating the sheriff of each county inspector and sealer of weights and measures, prescribing his powers, duties and compensation, defining the standard of weights and measures for the inspector and prescribing the penalties for violation of this act.

Introduced, 451.

Read twice and referred, 452.

Recalled, 586.

Amended and passed the house, 587.

Received from senate amended, 1123.

Amendments concurred in, 1147.

Other action, 1233.

House Bill No. 276—(Garden, by request)

A bill for an act to provide uniform practice in civil and criminal actions in county court with increased jurisdiction thereby repealing sections 8292, 8295, 8309, 8310, 8311 of the revised codes of the State of North Dakota of 1905, and thereby amending chapter 9 of the probate code of the revised codes of the State of North Dakota of 1905 by adding thereto the following provisions:

House Bill No. 276—Continued.

Introduced, 452.
 Read twice and referred, 452.
 Reported back, 926.
 Indefinitely postponed, 926.

House Bill No. 277—(Restemayer)

For an act entitled an act to amend sections 2366, 2367, 2368 and 2369 of the revised codes of 1905, relating to the removal of county seats.

Introduced, 452.
 Read twice and referred, 452.
 Reported back, 595.
 Indefinitely postponed, 595.

House Bill No. 278—(House committee on Apportionment)

An act to fix the number of the senate and representatives which shall compose the legislative assembly and to define the senatorial and representative districts of the state of North Dakota, and to prescribe the number of senators and representatives therein.

Introduced, 452.
 Read twice and referred, 452.
 Reported back with amendments, 690.
 Amendments adopted, 690.
 Passed the house, 691.
 Received from senate, amended, 1187.
 Passed the house as amended by conference committee, 1403.
 Other action, 1458.

House Bill No. 279—(Duncan)

An act to amend section 165 of the revised codes of 1905, of chapter 4, of the political code of the state of North Dakota, providing for the appointment of a deputy commissioner of university and school lands.

Introduced, 455.
 Read twice and referred, 455.
 Reported back, 687.
 Passed the house, 804.
 Received from senate with amendments, 1337.
 Amendments concurred in, 1353.
 Other action, 1425.

House Bill No. 280—(Hankinson)

For an act to amend sections 9455, 9457, 9458, 9460 and 9461 of article 1, chapter 75 of the penal code, revised codes of 1905, relating to game, and to re-enact such sections as thus amended.

Introduced, 455.
 Read twice and referred, 456.
 Reported back, 575.
 Indefinitely postponed, 575.

House Bill No. 281—(Johnson of Ward)

An act to amend section 2596 of the revised codes of North Dakota of 1905, providing the clerk hire for the register of deeds office in the various counties in the state.

Introduced, 456.
 Read twice and referred, 456.
 Reported back with amendments, 598.
 Amendments adopted, 883.
 Passed the house, 960.
 Received from senate with amendments, 1407.
 Amendments concurred in, 1417.
 Other action, 1458.

House Bill No. 282—(Carter)

A bill for an act to amend and re-enact section 2330, revised codes of 1905, relating to the formation of new counties.

Introduced, 456.
 Read twice and referred, 456.
 Reported back, 1158.
 Indefinitely postponed, 1158.

House Bill No. 283.—(Thoreson)

A bill for an act to amend section 408 of the revised codes of 1905, relating to the bonding of certain officers.

Introduced, 456.
 Read twice and referred, 456.
 Reported back, 577.
 Passed the house, 658.
 Returned from the senate indefinitely postponed, 941.

House Bill No. 284—(Committee on Taxation and Tax Laws)

An act defining express companies, freight line companies and equipment companies, telegraph and telephone com-

House Bill No. 284—Continued.

panies and providing for the assessment of their property and the taxation of the same.
Introduced, 456.
Read twice and referred, 456.
Reported back, 655.
Passed the house, 656.
Received from senate, passed, 1191.
Other action, 1319.

House Bill No. 285—(Stavens by request)

A bill for an act to make certain kinds of slander criminal.
Introduced, 456.
Read twice and referred, 456.
Reported back, 684.
Indefinitely postponed, 684.

House Bill No. 286—(Sorlie)

An act to prohibit the uttering of profane, lascivious or obscene language over telephones in this state.
Introduced, 457.
Read twice and referred, 457.
Reported back with amendments, 602.
Amendments adopted, 883.
Passed the house, 970.
Received from senate, passed, 1339.
Other action, 1413.

House Bill No. 287—(Carter, by request)

A bill for an act to legalize certain foreclosures of real estate mortgages.
Introduced, 479.
Read twice and referred, 479.
Reported back with amendments, 603.
Amendments adopted, 882.
Passed the house, 969.
Received from senate indefinitely postponed, 1063.

House Bill No. 288—(Treat)

An act to amend section 434 of the revised codes of the state of North Dakota for 1905, relating to the appointment of deputies and bailiffs.
Introduced, 479.
Read twice and referred, 479.

House Bill No. 288—Continued.

Reported back with majority and minority reports, 822.
Reported back, 1018.
Passed the house, 1068.
Received from senate, passed, 1383.
Other action, 1425.

House Bill No. 289—(Jones of Ransom)

A bill for an act to amend section 4466 of the revised code of North Dakota of 1905.
Introduced, 479.
Read twice and referred, 479.
Reported back, 847.
Indefinitely postponed, 847.

House Bill No. 290—(Grant)

An act providing that when a change of venue is obtained in a civil action pending in a justice's court of this state that garnishment proceedings had in such action shall be transferred with such action and that such change of venue shall carry with it the garnishment proceedings in the action in which change of venue is obtained.
Introduced, 479.
Read twice and referred, 479.
Reported back, 728.
Passed the house, 866.
Received from senate, passed, 1339.
Other action, 1448.

House Bill No. 291—(Law)

An act making it a misdemeanor for an employee to obtain railway or other transportation, or the benefit of other advancements made by employers to be thereafter repaid in labor, to refuse to perform such labor or repay such advancements and providing for punishment thereof.
Introduced, 479.
Read twice and referred, 479.
Reported back, 827.
Passed the house, 972.
Received from senate, passed, 1338.
Other action, 1459.

House Bill No. 292—(Blake, by request)

A bill for an act to amend section 9202 of chapter 50 of the revised codes of 1905 for the State of North Dakota, relating to the manner of payment of reward for the arrest and conviction of horse and cattle thieves.

Introduced, 480.

Read twice and referred, 480.

Reported back, 821.

Passed the house, 944.

Received from senate, passed, 1339.

Other action, 1413.

House Bill No. 293—(Blake, by request)

A bill for an act to amend section 9395 of chapter 65 of the revised codes of 1905 for the State of North Dakota relating to the manner of payment of reward for the arrest and conviction of violators of the prohibition law.

Introduced, 480.

Read twice and referred, 480.

House Bill No. 294—(Blegen)

A bill for an act to amend section 2602 of the revised codes of North Dakota, 1905, relating to fees of sheriffs.

Introduced, 480.

Read twice and referred, 480.

Reported back, 578.

Indefinitely postponed, 578.

House Bill No. 295—(Blake, by request)

For an act to provide for payment of per diem of the trustees of the state institutions of the State of North Dakota, and prescribing what actual and necessary expenses shall be and for what time per diem shall be allowed.

Introduced, 480.

Read twice and referred, 480.

Reported back, 581.

Indefinitely postponed, 581.

House Bill No. 296—(Blegen)

An act to amend sections 938, 939, 940, 941 and 943 of the revised codes of 1905 of the state of North Dakota, relat-

House Bill No. 296—Continued.

ing to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district and to divide the property and indebtedness of such school district.

Introduced, 480.

Read twice and referred, 480.

Reported back with amendments, 832.

Amendments adopted, 1019.

Passed the house, 1072.

Received from senate, passed, 1395.

Other action, 1447.

House Bill No. 297—(Peake)

An act to provide for a uniform system of accounting by the state institutions of North Dakota, prescribing the books, forms, the duties of the accounting officer, the state auditor and the institution treasurer, with regard to such uniform system of accounting; also prescribing the forms of checks and receipts to be used and the manner of accounting to the state auditor and the state treasurer.

Introduced, 517.

Read twice and referred, 517.

Reported back, 827.

Passed the house, 971.

Received from senate, passed, 1338.

Other action, 1459.

House Bill No. 298—(Adams)

A bill for an act authorizing the refunding of outstanding village bonds and warrants.

Introduced, 517.

Read twice and referred, 519.

Reported back, 727.

Indefinitely postponed, 727.

House Bill No. 299—(Pugh)

An act authorizing the board of county commissioners to appoint a board of visitors whose duty it shall be to visit county asylums or poor farms and make report thereon.

Introduced, 517.

Read twice and referred, 517.

Reported back, 598.

Passed the house, 799.

House Bill No. 299—Continued.

Returned from senate with amendment, 1265.
Amendments concurred in, 1293.
Other action, 1321.

House Bill No. 300—(Rose)

An act to amend section 3213 of the revised codes of the state of North Dakota of 1905, relating to townships purchasing road machinery.

Introduced, 517.
Read twice and referred, 578.
Reported back, 884.
Passed the house, 963.
Received from senate, passed, 1255.
Other action, 1321.

House Bill No. 301—(Duncan)

An act to amend sections 926, 928 and 935 of the revised Codes of North Dakota, 1905, relating to depositories of school funds.

Introduced, 518.
Read twice and referred, 518.
Reported back, 833.
Passed the house, 945.
Received from senate with amendments, 1338.
Amendments concurred in, 1351.
Other action, 1424.

House Bill No. 302—(Tufte)

A bill for an act to repeal section 3013 of the revised codes of North Dakota for the year 1905, relating to bridge funds.

Introduced, 518.
Read twice and referred, 518.
Reported back, 597.
Passed the house, 796.
Received from senate indefinitely postponed, 1342.

House Bill No. 303—(Johnson of Ward)

A bill for an act to amend section 7033 of the revised codes of North Dakota of 1905, relating particularly to special verdicts, when to be submitted, what to embrace, and instructions of court to jury thereunder.

Introduced, 518.
Read twice and referred, 518.
Reported back, 823.
Indefinitely postponed, 823.

House Bill No. 304—(Chapman)

An act to amend section 2612 of the revised codes of 1905, relating to fees of county surveyors.

Introduced, 518.
Read twice and referred, 518.
Reported back, 597.
Passed the house, 795.
Received from senate passed, 1267.
Other action, 1321.

House Bill No. 305—(Streeter)

A concurrent resolution to amend section 217 of the constitution of North Dakota, in relation to the sale or giving away of intoxicating liquors.

Introduced, 518.
Read twice and referred, 518.
Reported back, majority and minority reports, 665.
Amended, 884.
Lost, 895.

House Bill No. 306—(Gibbens)

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Introduced, 519.
Read twice and referred, 519.
Reported back, 829.
Passed the house, 939.
Returned from senate indefinitely postponed, 1229.

House Bill No. 307—(Martin of Billings)

A bill for an act to amend section 9190 of the revised codes of the State of North Dakota for the year 1905, fixing the punishment for grand larceny.

Introduced, 519.
Read twice and referred, 519.
Reported back, 821.
Indefinitely postponed, 821.

House Bill No. 308—(Treat)

An act to amend section 4587, revised codes of North Dakota of 1905, relating to cemetery corporations.

Introduced, 521.
Read twice and referred, 521.
Reported back, 666.
Passed the house, 803.
Received from senate passed, 1267.
Other action, 1320.

House Bill No. 309—(Miller)

An act prohibiting the establishment of a hospital for the treatment of patients for pay in any residence block of any city without the consent of the inhabitants of such block.
 Introduced, 521.
 Read twice and referred, 521.
 Reported back, 595.
 Passed the house, 793.
 Received from senate passed, 1339.
 Other action, 1459.

House Bill No. 310—(Hankinson)

A bill for an act to amend sections 1571, 1576 and 1582 of the revised codes of the State of North Dakota for 1905.
 Introduced, 540.
 Read twice and referred, 540.
 Reported back, 1052.
 Indefinitely postponed, 1052.

House Bill No. 311—(Dean)

A bill for an act to provide for the appointment of a board of examiners to determine the conditions of defendant's mind, in cases of homicide or other crimes, in which the defense attributes the act to insanity.
 Introduced, 540.
 Read twice and referred, 540.
 Reported back, 821.
 Indefinitely postponed, 821.

House Bill No. 312—(Murphy)

An act to regulate telegraph service within the state.
 Introduced, 541.
 Read twice and referred, 541.
 Reported back, 601.
 Passed the house, 797.
 Received from senate passed, 1361.
 Other action, 1426.

House Bill No. 313—(Brodie)

An act to provide for the assessment of lignite coal and minerals underlying lands in case of severed ownership.
 Introduced, 541.
 Read twice and referred, 541.
 Reported back, 666.
 Passed the house, 802.
 Received from senate passed, 1388.
 Other action, 1448.

House Bill No. 314—(O. P. N. Anderson)

A bill for an act amending section 605 of the revised codes of 1905, relating to the qualifications of electors.
 Introduced, 560.
 Read twice and referred, 560.
 Reported back, 599.
 Passed the house, 801.
 Received from senate lost, 1337.

House Bill No. 315—(J. A. Sorley)

An act creating park districts and for the government thereof, creating a board of park commissioners, conferring power and authority upon such board and district, and providing rules for the government thereof
 Introduced, 589.
 Read twice and referred, 589.
 Reported back, 690.
 Passed the house, 693.
 Received from senate passed, 840.
 Other action, 921.

House Bill No. 316—(Grant)

A bill for an act designating the time of commencement of the term of office of the register of deeds.
 Introduced, 589.
 Read twice and referred, 589.
 Reported back, 820.
 Indefinitely postponed, 820.

House Bill No. 317—(Tofsrud)

A bill for an act to amend section 1582 of the revised codes of 1905, relating to redemption from sale of real estate for taxes, time of payment of subsequent taxes, and rate of interest thereon.
 Introduced, 589.
 Read twice and referred, 589.
 Reported back with amendments, 717.
 Amendments adopted, 717.
 Passed the house, 990.
 Returned from senate indefinitely postponed, 1266.

House Bill No. 318—(O. J. Sörlie)

An act to grant to urban electric railways all of the rights, privileges and power granted to steam railways.

Introduced, 590.

Read twice and referred, 590.

Reported back, 925.

Re-referred, 925.

Reported back with amendments, 1028.

Amendments adopted, 1029.

Passed the house, 1075.

Received from senate passed, 1383.

Other action, 1424.

House Bill No. 319—(O. P. N. Anderson.)

A bill for an act to amend sections 37, 43 and 44 of the revised codes of 1905, relating to public printing.

Introduced, 614.

Read twice and referred, 614.

Reported back with majority and minority reports, 904.

Indefinitely postponed, 1029.

House Bill No. 320—(Streeter, by request.)

A bill for an act entitled an act to provide for two judges of the district court in the Sixth judicial district.

Introduced, 614.

Read twice and referred, 614.

Reported back, 820.

House Bill No. 321—(Streeter, by request)

A bill for an act entitled an act to amend and re-enact section 474 of the revised codes of 1905.

Introduced, 614.

Read twice and referred, 614.

House Bill No. 322—(Berndt Anderson, by request)

A bill for an act to amend section 7045 of the revised codes of North Dakota of 1905 relating to when another judge may be called in for prejudice or bias.

Introduced, 614.

Read twice and referred, 614.

Reported back, 820.

Passed the house, 943.

Returned from senate, 1063.

Indefinitely postponed, 1063.

House Bill No. 323—(Johnson of Ward)

A bill for an act providing for the safety of trainmen operating trains on railroads within the state of North Dakota and providing for the construction of cabooses for trainmen.

Introduced, 615.

Read twice and referred, 615.

Reported back, 900.

Passed the house, 908.

Returned from senate indefinitely postponed, 1336.

House Bill No. 324—(Committee on State Affairs and Judiciary)

A bill for an act to amend chapter 79 of the revised codes of 1905, relating to mechanics' liens.

Introduced, 615.

Read twice and referred, 615.

Reported back with amendments, 913.

Amendments adopted, 913.

Amended, 1017.

Passed the house, 1069.

Returned from senate indefinitely postponed, 1265.

House Bill No. 325—(Aaker)

For amendment to the constitution of the state of North Dakota, relating to revenue and taxation.

Introduced, 687.

Read twice and referred, 687.

Reported back, 819.

Passed the house, 947.

Received from senate with amendments, 1402.

Amendments concurred in, 1405.

Other action, 1440.

House Bill No. 326—(McDowell)

A bill for an act to amend and re-enact section 3054 of the revised codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Introduced, 688.

Read twice and referred, 688.

Reported back, 826.

Passed the house, 949.

House Bill No. 327—(Simpson)

A bill for an act to amend and re-enact section 2330 of the revised code of 1905, relating to the formation of new counties.

Introduced, 688.

Read twice and referred, 688.

Reported back, 872.

Passed the house, 957.

Received from senate, lost, 1396.

House Bill No. 328—(Nelson of Steele)

A bill for an act to regulate the width of sleighs, sleds and cutters used on public highways.

Introduced, 688.

Read twice and referred, 688.

Reported back with amendments, 824.

Indefinitely postponed, 1019.

House Bill No. 329—(Piper)

A bill for an act entitled an act concerning forestry, creating a state forestry commission, defining its duties, and making an appropriation therefor.

Introduced, 688.

Read twice and referred, 688.

House Bill No. 330—(The Committee on State Affairs)

A bill for an act to amend sections 1310 and 1315 of the revised codes of 1905, relating to the law for aid of county fairs.

Introduced, 808.

Read twice and referred, 808.

Reported back, 1018.

Indefinitely postponed, 1018.

House Bill No. 331—(White)

A concurrent resolution amending the constitution of the State of North Dakota, relating to the election and term of office of railroad commissioners.

Introduced, 809.

Read twice and referred, 809.

Reported back, 935.

Re-referred, 993.

Reported back, 1051.

Lost, 1078.

House Bill No. 332—(Adams by request)

An act to amend section 2578 of the revised codes of 1905 of the state of North Dakota, prescribing the salary of the state's attorney and assistant.

Introduced, 809.

Read twice and referred, 809.

Reported back, 1006.

Passed the house, 1063.

Returned from senate passed, 1388.

Other action, 1448.

House Bill No. 333—(Duncan)

A bill for an act to re-enact sections 2169, 2170, 2173 and 2174 of the revised codes of North Dakota of 1905, relating to automobiles, steam cars and motor cycles.

Introduced, 809.

Read twice and referred, 809.

Reported back, 1004.

Indefinitely postponed, 1004.

House Bill No. 334—(Garden)

A bill for an act to define the Ninth judicial district of the State of North Dakota, defining the boundaries of the Second, Eighth and Ninth judicial districts of said state, and providing for terms of court in the said districts.

Introduced, 809.

Read twice and referred, 809.

House Bill No. 335—(Dibley)

An act to amend section 1845, chapter 23, of the the political code of the state of North Dakota, revised codes of North Dakota of 1905, relating to drains.

Introduced, 836.

Read twice and referred, 836.

Reported back, 1002.

Passed the house, 1061.

Received from senate passed, 1361.

Other action, 1424.

House Bill No. 336—(Martin of Billings)

A bill for an act to amend section 9353 of the revised codes of 1905, relating to prohibition.

Introduced, 836.

Read twice and referred, 836.

Reported back, 1007.

Indefinitely postponed, 1007.

House Bill No. 337—(Committee on Railroads)

A bill for an act to amend section 364 of the revised codes of North Dakota for 1905 relating to the board of railroad commissioners.

Introduced, 836.

Read twice and referred, 836.

Reported back, 1018.

Passed the house, 1067.

Returned from senate indefinitely postponed, 1265.

House Bill No. 338—(Johnson of Sargent)

An act authorizing the secretary of state on the approval of the governor to receive and receipt to the United States surveyor general of the district of North Dakota for all field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for other property and records as the government may direct to be turned over to the state when all the public surveys in the state of North Dakota shall have been completed.

Introduced, 836.

Read twice and referred, 836.

Reported back, 1159.

Passed the house, 1183.

Received from senate passed, 1407.

Other action, 1448.

House Bill No. 339—(Jones of Ransom)

A bill for an act to provide for the bulletining of the time of the arrival of passenger trains.

Introduced, 837.

Read twice and referred, 837.

Reported back, 935.

Indefinitely postponed, 935.

House Bill No. 340—(Jones of Ransom)

An act reinstating and validating the charter of corporations that have been cancelled for failure to make and file with the secretary of state reports as required under section 4186, revised codes of 1905.

House Bill No. 340—Continued.

Introduced, 837.

Read twice and referred, 837.

Reported back, 931.

Passed the house, 991.

Received from senate passed, 1200.

Other action, 1413.

House Bill No. 341—(Mockler)

A bill for an act to amend section 9354 (chapter 65 of the penal code), revised codes of the State of North Dakota of 1905, relating to druggists' permits, and how the same may be obtained.

Introduced, 837.

Read twice and referred, 837.

Reported back, 1008.

Indefinitely postponed, 1008.

House Bill No. 342—(White)

A bill for an act to amend section 361 of the revised codes of 1905, relating to the salary and expense of the board of commissioners of railroads, and making an appropriation therefor.

Introduced, 868.

Read twice and referred, 868.

Reported back, 1029.

Lost, 1076.

Reconsidered, 1118.

Passed the house, 1118.

House Bill No. 343—(Rose)

An act to amend section 7253 of the revised codes of 1905, relating to witnesses and evidence.

Introduced, 868.

Read twice and referred, 868.

Reported back, 1029.

Passed the house, 1077.

Received from senate with amendments, 1373.

Amendments concurred in, 1423.

Other action, 1459.

House Bill No. 344—(Treat)

An act to provide for paving, curbing or macadamizing the highways in civil townships adjoining incorporated cities of not less than six thousand inhabitants, and for the construction of sewer and water mains

House Bill No. 344—(Continued)

therein, connecting with city sewers and water mains or with their own trunk sewers, and for the construction of sidewalks.

Introduced, 938.

Read twice and referred, 938.

Reported back, 996.

Passed the house, 1065.

Received from senate passed, 1200.

Other action, 1320.

House Bill No. 345—(Wedge)

An act providing for summary administration when estate is of small value.

Introduced, 938.

Read twice and referred, 938.

Passed the house, 1065.

Received from senate with amendments, 1383.

Amendments concurred in, 1426.

Other action, 1459.

House Bill No. 346—(Bernt Anderson)

Introduced, 1163.

Read twice and referred, 1163.

SENATE BILLS**Senate Bill No. 1—(Sharpe)**

An act providing for the selection of candidates for election by popular vote, and relating to their nomination and the perpetuation of political parties.

Received from senate, 369.

Read twice and referred, 452.

Reported back with amendments, 569.

Amendments adopted, 615.

Passed the house, 622.

Referred to conference committee, 938.

Reported back with amendments, 1217.

Amendments adopted, 1217.

Returned from senate, 1222.

Passed the house, 1225.

Other action, 1456.

Senate Bill No. 2—(Taylor)

An act to amend section 2740, article 17, immediately after section 1770, section 2778, section 2780, section 2782, section 2783, section 2769, section 2798, section 2815, and to repeal section 2779 of chapter 30 of the political code of the state of North Dakota, revised codes of 1905, relating to cities.

Received from senate, 117.

Read twice and referred, 122.

Reported back with amendments, 357.

Amendments adopted, 373.

Passed the house, 414.

Other action, 612.

Senate Bill No. 3—(Hanna)

A bill for an act to amend section 6710 of the civil code of the revised codes of North Dakota of 1905.

Received from senate, 117.

Read twice and referred, 122.

Reported back, 293.

Lost, 841.

Reconsidered, 540.

Returned from senate, 541.

Lost, 842.

Senate Bill No. 4—(Johnson of McLean)

A bill for an act relating to the qualifications of all state, county and city elective officers.

Received from senate, 201.

Read twice and referred, 241.

Reported back with majority and minority reports, 446.

Indefinitely postponed, 689.

Senate Bill No. 8—(Steele)

A bill for an act to amend and re-enact section 7459 of the revised code of 1905, relating to the foreclosure of mortgage on real property.

Received from senate, 167.

Read twice and referred, 240.

Reported back, 605.

Indefinitely postponed, 605.

Senate Bill No. 9—(Steele)

An act to amend and re-enact section 2330 of the revised codes of North Dakota of 1905, relative to division of counties.

Senate Bill No. 9—Continued.

Received from senate, 584.
 Read twice and referred, 590.
 Reported back, 667.
 Passed the house, 1087.
 Other action, 1138.

Senate Bill No. 10—(Spoonheim)

An act requiring railroad companies to report all wrecks and casualties wherein any person is injured or killed, to the railroad commissioners.
 Received from senate, 295.
 Read twice and referred, 324.
 Reported back, 449.
 Passed the house, 981.
 Other action, 1061.

Senate Bill No. 14—(Taylor)

An act making appropriations for permanent improvements at the state university and school of mines of North Dakota.
 Received from senate, 625.
 Read twice and referred, 639.
 Reported back, 710.
 Passed the house, 755.
 Other action, 839.

Senate Bill No. 15—(Taylor)

An act for the creating of a public health laboratory, for the control of such laboratory, and duties of the director, for the appointment of a director of such laboratory who shall be ex-officio state bacteriologist.
 Received from senate, 166.
 Read twice and referred, 240.
 Reported back, 379.
 Passed the house, 978.
 Other action, 1061.

Senate Bill No. 16—(Taylor)

An act providing for the erection of fire escapes in hotels, inns and public lodging houses, and regulating the conduct of such hotels, inns and public lodging houses, and providing for the appointment of an inspector of hotels, and his compensation therefor.
 Received from senate, 504.
 Read twice and referred, 562.
 Re-referred, 1211.
 Reported back, 1213.
 Passed the house, 1223.
 Other action, 1369.

Senate Bill No. 17—(Little)

An act making appropriations for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.
 Received from senate, 625.
 Read twice and referred, 634.
 Reported back, 707.
 Passed the house, 773.
 Other action, 878.

Senate Bill No. 18—(Hanna)

An act appropriating money for the enforcement of the food law, drug law, formaldehyde and paris green laws, and the paint law; also for making such investigations as are deemed necessary for the purpose of gaining information under the laws mentioned and for the dissemination of information.
 Received from senate, 625.
 Read twice and referred, 632.
 Reported back, 705.
 Passed the house, 774.
 Other action, 878.

Senate Bill No. 23.—(Young)

A bill for an act making it unlawful for any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or any agent or representative thereof to issue, give or offer any free ticket, free pass, telegraph or telephone frank, express frank, or other privilege to any person or persons at rates less than charged the public, and making it unlawful for any person to ask for or accept from any railroad company, express company, sleeping car company, telegraph company, telephone company, or any corporation, or from any officer, agent or representative thereof, or use in any manner or for any purpose any free ticket, free pass, telegraph or telephone frank, express or other privilege at rates less than charged the public, and prescribing penalties therefor.

Senate Bill No. 23—Continued.

Received from senate, 442.
 Read twice and referred, 494.
 Reported back with amendments, 899.
 Other action, 1028, 1029, 1030, 1035, 1036.
 Amendments adopted, 1241.
 Passed the house, 1243.
 Referred to conference committee, 1374.

Senate Bill No. 24—(Taylor)

An act to amend section 1016 of the revised codes of 1905, relating to report by city treasurer of receipts and disbursements of moneys of independent school districts.
 Received from senate, 295.
 Read twice and referred, 324.
 Reported back, 831.
 Passed the house, 1165.
 Other action, 1278.

Senate Bill No. 27—(Strom)

An act to amend section 155 of chapter 4 of the political code of the state of North Dakota, and all acts or parts of acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.
 Received from senate, 320.
 Read twice and referred, 326.
 Reported back with amendments, 475.
 Amendments adopted, 846.
 Passed the house, 1173.
 Other action, 1321.

Senate Bill No. 28—(Cashel)

An act to regulate the practice of pharmacy, and providing penalties for violating the provisions thereof.
 Received from senate, 385.
 Read twice and referred, 453.
 Reported back with amendments, 931.
 Rereferred, 1032.

Senate Bill No. 28—Continued.

Reported back with amendments, 1154.
 Amendments adopted, 1154.
 Passed the house, 1154.
 Other action, 1392.

Senate Bill No. 29—(Purcell)

A bill for an act to amend section 7252 of the revised code of 1905, relating to examination of an adverse party.
 Received from senate, 167.
 Read twice and referred, 240.
 Reported back with amendments, 272.
 Passed the house, 348.
 Other action, 444.

Senate Bill No. 31—(Purcell)

An act to amend section 9885 of the revised codes of 1905, relating to arraignment.
 Received from senate, 200.
 Read twice and referred, 241.
 Reported back, 272.
 Passed the house, 349.
 Other action, 376.

Senate Bill No. 33—(Purcell)

An act to regulate the practice in appellate courts, as to the review of errors committed by trial courts in ruling upon demurrers to pleadings.
 Received from senate, 201.
 Read twice and referred, 241.
 Reported back with amendments, 290.
 Amendments adopted, 514.
 Passed the house, 1038.
 Other action, 1236.

Senate Bill No. 34—(McArthur)

An act to provide for the bulletining of the time of arrival of passenger trains.
 Received from senate, 250.
 Read twice and referred, 280.
 Reported back with amendments, 719.
 Amendments adopted, 1298.
 Other action, 1392.

Senate Bill No. 37—(Little)

A bill for an act amending sections one (1), two (2) and three (3), of chapter 24 of the special laws passed at the Sixteenth

Senate Bill No. 37—Continued.

session of the legislative assembly of the territory of Dakota, approved March 10th, 1885, segregating from Burleigh county to Kidder county, townships 137, 138, 139, 140, 141, 142, 143 and 144, lying in range 74 west of the 5th P. M., and holding such townships not released from a just and equal proportion of the bonded indebtedness of said Burleigh county existing on said 10th day of March, 1885, and providing that said Kidder county shall assume and pay such proportion thereof, together with the interest thereon, any lapse of time or statute of limitations of actions to the contrary notwithstanding; and defining the manner of ascertaining the amount to be assumed and paid by such Kidder county to said Burleigh county, and designating such amount to be the same per centum of the bonded indebtedness of said Burleigh county existing March 10th, 1885, as the amount of the real property assessment in such townships bore to the entire real property assessment of such county for the year 1884, together with the interest thereon computed to July 1st, 1907. And providing for the issue of six per cent interest bearing bonds in payment of the amount so found due and for the levying of a tax in such Kidder county each year to pay the interest on such bonds and the principal when due, and providing the method of compelling action under this act by an action or proceeding in court.

Received from senate, 209.

Read twice and referred, 241.

Reported back with majority and minority reports, 728.

Indefinitely postponed, 913.

Senate Bill No. 39—(Stade)

An act to provide for making needed permanent improvements for the school for the deaf at Devils Lake, and making an appropriation therefor.

Senate Bill No. 39—Continued.

Received from senate, 626.

Read twice and referred, 623.

Reported back with amendments, 714.

Amendments adopted, 772.

Passed the house, 787.

Other action, 878.

Senate Bill No. 40—(Spoonheim)

An act to promote the safety of employes and travelers upon railroads by limiting the hours of service of employes thereon, and making the violation thereof a misdemeanor, providing a punishment therefor, requiring railroad commissioners to investigate the same and notify the attorney general thereof, whose duty it shall be to prosecute the same.

Received from senate, 391.

Read twice and referred, 454.

Reported back, 719.

Passed the house, 1093.

Other action, 1138.

Senate Bill No. 41—(Plain)

A concurrent resolution, amending the constitution of the state of North Dakota, relating to the legislative department and providing for direct legislation and reference of laws.

Received from senate, 468.

Read twice and referred, 496.

Reported back, 1159.

Other action, 1416.

Senate Bill No. 42—(Spoonheim)

An act to regulate the consolidation and reinsurance of domestic insurance companies transacting business of life, accident or health insurance.

Received from senate, 468.

Read twice and referred, 496.

Reported back, 731.

Passed the house, 1107.

Other action, 1138 (see correction in appendix).

Senate Bill No. 45—(Simpson)

A bill for an act defining and providing for the assessment of express companies.

Received from senate, 356.

Read twice and referred, 453.

Reported back, 1052.

Indefinitely postponed, 1052.

Senate Bill No. 47—(Little)

An act to amend section 241, chapter 4 of the the revised codes of 1905, relating to the duties of the State Historical Society of North Dakota, and to the publication of the same.

Received from senate, 209.

Read twice and referred, 241.

Reported back, 825.

Passed the house, 1117.

Other action, 1235.

Senate Bill No. 48—(Little)

An act to repeal sections 395, 396, 397, 398 and 399 of the revised codes of 1905, relating to state weather bureau.

Received from senate, 201.

Read twice and referred, 240.

Reported back, 378.

Passed the house, 977.

Other action, 1061.

Senate Bill No. 52—(Simpson)

An act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

Received from senate, 503.

Read twice and referred, 561.

Reported back, 1052.

Indefinitely postponed, 1052.

Reconsidered, 1070.

Returned from senate, 1072.

Passed the house, 1216.

Senate Bill No. 53—(Simpson)

An act relating to the provisions of life insurance policies.

Received from senate, 998.

Read twice and referred, 1021.

Reported back, 1308.

Passed the house, 1384.

Other action, 1456.

Senate Bill No. 54—(Kraabel)

An act for making an appropriation for a deficit in expenses for the construction of additions to present buildings, for heating plant, erection and equipment of a dormitory for state normal school at Mayville, and for interest on overdue warrants issued in connection therewith.

Received from senate, 625.

Read twice and referred, 632.

Reported back, 706.

Passed the house, 772.

Other action, 878.

Senate Bill No. 55—(Johnson of McLean)

An act to provide for the making of certain abstracts of title prima facie evidence of title and to provide for the recording of the same.

Received from senate, 201.

Read twice and referred, 240.

Reported back, 823.

Indefinitely postponed, 823.

Reconsidered and recalled from senate, 989.

Received from senate, 999.

Referred, 1000.

Reported back, 1005.

Passed the house, 1189.

Other action, 1392.

Senate Bill No. 56—(Little)

An act to amend section 242, chapter 4 of the revised codes of 1905, relating to appropriations of the state historical society of North Dakota.

Received from senate, 631.

Read twice and referred, 639.

Reported back, 925.

Passed the house, 1227.

Other action, 1322.

Senate Bill No. 57—(Hanna)

An act to prevent the adulteration and misbranding of foods and beverages, and providing for the proper labeling of all foods and beverages.

Received from senate, 320.

Read twice and referred, 325.

Reported back, 504.

Passed the house, 1037.

Other action, 1128.

Senate Bill No. 58—(Rice)

An act defining the boundaries of the second, eighth and ninth judicial districts of the state of North Dakota and providing for terms of court in said districts.

Received from senate, 1060.

Read twice and referred, 1099.

Reported back, 1158.

Lost, 1232.

Reconsidered, 1345.

Returned from senate, 1362.

Passed the house, 1370.

Other action, 1455.

Senate Bill No. 59—(Rice)

An act to require an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

Received from senate, 469.

Read twice and referred, 495.

Reported back, 608.

Passed the house, 1080.

Other action, 1126.

Senate Bill No. 60—(Rice)

A bill for an act providing for and regulating the election of directors of mutual life insurance companies.

Received from senate, 1011.

Read twice and referred, 1023.

Reported back, 1308.

Indefinitely postponed, 1382.

Senate Bill No. 61—(Rice)

An act to require an annual apportionment and accounting of surplus of life insurance companies.

Received from senate, 998.

Read twice and referred, 1023.

Reported back, 1308.

Passed the house, 1385.

Other action, 1455.

Senate Bill No. 62—(Young)

An act providing for the erection of a building upon the agricultural grounds in which to conduct the experiments provided for in section 1118 of the revised codes of North Dakota to determine the milling values of wheat and to install therein necessary machinery, providing for the maintenance of the same and making an appropriation therefor.

Received from senate, 626.

Read twice and referred, 633.

Reported back, 709.

Passed the house, 761.

Other action, 838.

Senate Bill No. 63—(Gilbert)

An act to prevent adulteration, misbranding, and selling of adulterated and insufficiently labeled "Concentrated Commercial Feeding Stuff," prescribing a penalty for the violation thereof, providing for

Senate Bill No. 63—Continued.

the inspection, testing and analysis of said feeding stuffs, charging the North Dakota Government Agricultural Experiment Station with the duty thereof, and charging the state's attorney with the enforcement thereof.

Received from senate, 231.

Read twice and referred, 242.

Reported back, 502.

Passed the house, 1036.

Other action, 1127.

Senate Bill No. 64—(Sharpe)

An act appropriating money for paying the indebtedness on superintendent's residence and for building a machine shed and seed house and for other improvements at Edgeley Sub-Experiment Station.

Received from senate, 626.

Read twice and referred, 634.

Reported back, 707.

Passed the house, 766.

Other action, 739.

Senate Bill No. 66—(Pierce)

An act to establish a parole system, and providing for indeterminate sentences of persons convicted of certain crimes, and prescribing the duties of officials in connection therewith.

Received from senate, 722.

Read twice and referred, 852.

Reported back, 902.

Passed the house, 1193.

Other action, 1322.

Senate Bill No. 67—(Pierce)

An act to amend section 5404 of the revised codes of 1905, relating to effect of highways or railways or right-of-way therefor, over or upon lands conveyed.

Received from senate, 531.

Read twice and referred, 563.

Reported back, 684.

Passed the house, 1089.

Other action, 1126.

Senate Bill No. 69—(Kraabel)

An act making an appropriation for carrying into effect provisions of law relating to the

Senate Bill No. 69—Continued.

duties of the commissioner of agriculture and labor.
 Received from senate, 626.
 Read twice and referred, 634.
 Reported back, 706.
 Lost, 770.
 Reconsidered, 771.
 Passed the house, 771.
 Other action, 939.

Senate Bill No. 71—(Stade)

An act to repeal section 3111 of the revised codes of North Dakota, 1905, relating to the term of office of township officers.
 Received from senate, 1011.
 Read twice and referred, 1023.
 Reported back, 1051.
 Passed the house, 1396.
 Other action, 1455.

Senate Bill No. 72—(Palmer)

An act defining pools and trusts and providing the penalties and remedies therefor, and to repeal chapter 53 of the penal code of the revised codes of 1905.
 Received from senate, 876.
 Read twice and referred, 910.
 Reported back, 930.
 Amended and passed the house, 1011.
 Other action, 1127.

Senate Bill No. 73—(Sharpe)

An act to amend section 4449 of the revised codes of 1905, relating to mutual insurance companies engaged in hail insurance.
 Received from senate, 468.
 Read twice and referred, 494.
 Reported back, 731.
 Lost, 1108.
 Reconsidered, 1140.
 Passed the house, 1140.

Senate Bill No. 76—(Kraabel)

An act to amend section 4082 of the revised codes of 1905, relating to separate and mutual rights and liabilities of husband and wife.
 Received from senate, 320.
 Read twice and referred, 325.
 Reported back with amendments, 397.
 Amendments adopted, 700.
 Passed the house, 1111.
 Other action, 1392.

Senate Bill No. 77—(Pierce)

An act to amend section 5039 of the revised codes of 1905, relating to conveyances.
 Received from senate, 231.
 Read twice and referred, 242.
 Reported back, 340.
 Passed the house, 1033.
 Other action, 1127.

Senate Bill No. 78—(Pierce)

An act to prohibit the soliciting of orders for the future delivery without this state of intoxicating liquors to be transported into this state to be used or sold in violation of the laws thereof, and providing a penalty for its violation.
 Received from senate, 356.
 Read twice and referred, 453.
 Reported back, 501.
 Passed the house, 1034.
 Other action, 1127.

Senate Bill No. 80—(Sharpe)

A bill for an act entitled: "An act defining the duties of district school boards in relation to the planting, cultivation and protection of trees and shrubs upon school house grounds.
 Received from senate, 231.
 Read twice and referred, 242.
 Reported back, 377.
 Lost, 975.

Senate Bill No. 81—(Cashel)

An act making it a felony for any person who with intent to commit any crime breaks into or enters a building, and commits or attempts to commit a crime by the use of nitro-glycerine, dynamite, gunpowder or any other high explosive, and providing a penalty therefor.
 Received from senate, 251.
 Read twice and referred, 281.
 Reported back, 290.
 Passed the house, 350.
 Other action, 376.

Senate Bill No. 83—(LaMoure)

An act regulating public printing and binding prescribing the duties of public boards and officials in relation thereto.
 Received from senate, 266.
 Read twice and referred, 281.

Senate Bill No. 83—Continued.

Reported back with amendments, 670.
 Amendments adopted, 885.
 Passed the house, 1177.
 Other action, 1278.

Senate Bill No. 84—(LaMoure)

An act making an appropriation for the completion of the buildings for the North Dakota blind asylum, for a boiler house and connections for the same and for furniture and fixtures.

Received from senate, 626.
 Read twice and referred, 635.
 Reported back, 704.
 Passed the house, 778.
 Other action, 878.

Senate Bill No. 86—(Purcell)

An act to amend sections 838, 839, 840, 841 and 842, chapter 9, of the political code of the state of North Dakota, revised codes of 1905, relating to education.

Received from senate, 548.
 Read twice and referred, 563.
 Re-referred, 612.
 Reported back, 714.
 Passed the house, 743.
 Other action, 838.

Senate Bill No. 87—(Hanna)

An act making an appropriation towards paying deficiency or debts on armories already constructed, or towards the construction of armories for the various military companies of the state of North Dakota, and for the creating of a board of armory supervisors and defining its duties, for the transfer of armories upon the mustering out of any military organization enumerated, and defining the duties of the state treasurer in carrying out the provisions of this act.

Received from senate, 626.
 Read twice and referred, 637.
 Reported back, 702.
 Passed the house, 785.
 Other action, 895.

Senate Bill No. 88—(Little)

An act to provide a site for the statute of Sakakawea, the Indian guide of the Lewis and Clark expedition.

Received from senate, 627.
 Read twice and referred, 636.
 Reported back, 702.
 Passed the house, 783.
 Other action, 879.

Senate Bill No. 90—(Kraabel)

An act to amend section 122 of the revised codes of 1905 of the state of North Dakota, relating to state treasurer's bond.

Received from senate, 584.
 Read twice and referred, 590.
 Reported back, 930.
 Indefinitely postponed, 930.
 Reconsidered, 938.
 Recalled from senate, 949.
 Returned, 952.
 Re-referred, 1014.
 Reported back, 1054.
 Passed the house, 1394.
 Other action, 1456.

Senate Bill No. 91—(Kraabel)

An act making an appropriation for completing the present building and for furniture, fixtures and improvements for the state normal school at Mayville and for the erection of a women's dormitory for said school.

Received from senate, 627.
 Read twice and referred, 636.
 Reported back, 713.
 Passed the house, 746.
 Other action, 838.
 Reported back, 1054.

Senate Bill No. 93—(Johnson of Walsh)

A bill for an act entitled "An act to amend section 746 of the revised codes of 1905, relating to the amount of population of cities and villages in which registration of voters is required."

Received from the senate, 391.
 Read twice and referred, 455.
 Reported back, 507.
 Indefinitely postponed, 1033.

Senate Bill No. 94—(Cashel)

An act for the reservation of lands for the preservation of the Fort Clark and Mandan village sites on certain school lands in Mercer county, North Dakota.

Received from senate, 295.
Read twice and referred, 324.
Reported back, 398.
Passed the house, 980.
Other action, 1061.

Senate Bill No. 95—(Simpson)

An act appropriating money from the state treasury, not otherwise appropriated, to compensate the clerk of the district court of Stark county, in this state, for the years 1905 and 1906, for services in connection with his office, required by law to be by him performed for cases arising in unorganized territory attached to Stark county for judicial purposes.

Received from senate, 627.
Read twice and referred, 636.
Reported back, 925.
Passed the house, 1281.
Other action, 1368.

Senate Bill No. 100—(Simpson)

A bill for an act fixing the salaries and providing for the payment of necessary expenses for the judges of the district courts of the state of North Dakota.

Received from senate, 300.
Read twice and referred, 325.

Senate Bill No. 101—(Simpson)

A bill for an act making an appropriation to the Dickinson experiment station located at the city of Dickinson in Stark county.

Received from senate, 627.
Read twice and referred, 638.
Reported back, 706.
Passed the house, 769.
Other action, 879.

Senate Bill No. 102—(Spoonheim)

A bill for an act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or substitutes therefor,

Senate Bill No. 102—Continued.

and providing a penalty for the violation thereof.

Received from senate, 916.
Read twice and referred, 967.
Reported back, 1056.
Indefinitely postponed, 1309.

Senate Bill No. 103—(Johnson of McLean)

A bill for an act locating a state normal school at the city of Washburn, in the county of McLean.

Received from senate, 1067.
Read twice and referred, 1102.

Senate Bill No. 104—(Young)

An act making it unlawful for any corporation to use any of its money or property or anything of value in political campaigns or for any political purpose, also making it unlawful to solicit or knowingly receive any such money, property or anything of value, and prescribing penalties therefor.

Received from senate, 469.
Read twice and referred, 495.
Reported back, 829.
Passed the house, 1170.
Other action, 1276.

Senate Bill No. 105—(McArthur)

An act making an appropriation for the erection of a building and greenhouse for the school of forestry, located at Bottineau, Bottineau county, and for the proper furnishing and equipment of the same.

Received from senate, 630.
Read twice and referred, 635.
Reported back, 702.
Passed the house, 784.
Other action, 879.

Senate Bill No. 108—(Cashel)

An act to provide an appropriation for the current and contingent expenses and for permanent improvements of the institution for the feeble minded at Grafton.

Received from senate, 627.
Read twice and referred, 638.
Reported back, 702.
Passed the house, 781.
Other action, 879.

Senate Bill No. 109—(Cashel)

An act amending sections 6, 8 and 9 of chapter 108 of the laws of 1903, being sections 1165, 1167 and 1168 of the revised Codes of 1905, and repealing chapter 76 of the laws of 1905, in so far as the same applies to the institution for feeble minded.

Received from senate, 296.

Read twice and referred, 324.

Reported back, 475.

Passed the house, 999.

Other action, 1060.

Senate Bill No. 110—(McLean)

An act to provide for the better enforcement of the laws against the manufacture and sale of intoxicating liquors, and to repeal section 9395 of the revised codes of 1905, being chapter 39 of the session laws of 1903.

Received from senate, 692.

Read twice and referred, 851.

Reported back, 875.

Passed the house, 1172.

Other action, 1276.

Senate Bill No. 111—(McLean)

An act creating and establishing an agricultural experiment station at or near Hannah or Langdon in Cavalier county, providing for its management, and making an appropriation therefor.

Received from senate, 627.

Read twice and referred, 641.

Reported back with amendments, 715.

Amendments adopted, 904.

Passed the house, 908.

Other action, 1393.

Senate Bill No. 113—(Regan)

An act to amend section 140 of the revised code of 1905, relating to the appointment and qualifications of the state examiner.

Received from senate, 916.

Read twice and referred, 967.

Reported back, 1160.

Passed the house, 1412.

Other action, 1455.

Senate Bill No. 114—(Little)

An act to amend section 10381 of the revised codes of 1905, relating to the manner of disposing of the product of the state binder twine plant, and prescribing duties of accounting officer.

Received from senate, 432.

Read twice and referred, 454.

Reported back with amendments, 580.

Amendments adopted, 882.

Passed the house, 1195.

Other action, 1413.

Senate Bill No. 116—(Hanna)

An act appropriating money for buildings, for repairs and for making improvements at the North Dakota agricultural college and experimental station at Fargo.

Received from senate, 627.

Read twice and referred, 635.

Reported back, 711.

Passed the house, 753.

Other action, 838.

Senate Bill No. 117—(Gilbert)

An act appropriating money for the construction and equipment of an engineering building and for making improvements in the mechanical laboratories and shops of North Dakota agricultural college.

Received from senate, 628.

Read twice and referred, 637.

Reported back, 705.

Passed the house, 768.

Other action, 879.

Senate Bill No. 118—(Purcell)

An act making an appropriation for the purchase of a building, paying indebtedness on a machine shop, paying sewer assessment, making repairs on building, for furniture and equipment and for library, bookcases and library furniture.

Received from senate, 628.

Read twice and referred, 638.

Reported back, 711.

Passed the house, 754.

Other action, 839.

Senate Bill No. 120—(Purcell)

An act to repeal chapter 59 of the session laws of 1897, being section 5334 of the revised codes of 1905, in relation to the method of proof of written instruments and contracts to which there are one or more subscribing witnesses, and to re-enact the same.

Received from senate, 469.

Read twice and referred, 494.

Reported back, 602.

Passed the house, 1085.

Other action, 1128.

Senate Bill No. 124—(Simpson)

An act providing that in actions hereafter brought in the justice courts of this state, filing of an affidavit of the amount due shall be considered as prima facie evidence of the indebtedness sued on.

Received from senate, 612.

Read twice and referred, 632.

Reported back, 1006.

Passed the house, 1297.

Other action, 1369.

Senate Bill No. 125—(Pierce)

An act to amend section 638 of the revised codes, relating to the conduct of elections.

Received from senate, 612.

Read twice and referred, 631.

Reported back, 829.

Lost, 1169.

Reconsidered, 1228.

Amended and passed, 1392.

Senate Bill No. 127—(Purcell)

An act to reimburse judges of the supreme court for their actual and necessary expenses while absent from home in the discharge of official duties.

Received from senate, 1015.

Read twice and referred, 1025.

Reported back, 1158.

Passed the house, 1271.

Other action, 1413.

Senate Bill No. 129—(Cashel)

An act to amend and re-enact sections 1034, 1035 and 1036 of the revised codes of 1905, relating to education.

Received from senate, 628.

Read twice and referred, 639.

Reported back, 707.

Senate Bill No. 129—Continued.

Re-referred, 768.

Reference reconsidered, 775.

Passed the house, 777.

Other action, 938.

Senate Bill No. 131—(Wagner)

An act to amend section 1597 of the revised codes of 1905 of the state of North Dakota, relative to duty of county auditor.

Received from senate, 722.

Read twice and referred, 853.

Reported back, 930.

Passed the house, 1203.

Other action, 1277.

Senate Bill No. 132—(Young)

An act to provide for the making of permanent improvements at the Valley City state normal school, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Received from senate, 628.

Read twice and referred, 638.

Reported back, 714.

Passed the house, 744.

Other action, 838.

Senate Bill No. 133—(Sifton)

An act to provide an appropriation for the current and contingent expenses for the state hospital for the insane at Jamestown.

Received from senate, 628.

Read twice and referred, 639.

Reported back, 703.

Passed the house, 782.

Other action, 879.

Senate Bill No. 134—(Hanna)

An act establishing and naming a state flower for the state of North Dakota.

Received from senate, 296.

Read twice and referred, 325.

Reported back, 378.

Passed the house, 976.

Other action, 1128 (see correction in appendix).

Senate Bill No. 135—(Sifton)

An act to provide for the erection of necessary additional buildings and other improvements at the state hospital for the

Senate Bill No. 135—Continued.

insane at Jamestown, North Dakota, and for a deficit on buildings erected in the years 1905 and 1906 for the hospital for the insane at Jamestown, North Dakota.

Received from senate, 628.

Read twice and referred, 639.

Reported back, 708.

Passed the house, 765.

Other action, 838.

Senate Bill No. 136—(Thatcher)

An act to amend and re-enact section 2625 of the revised codes of 1905, relating to fees for interpreters.

Received from senate, 320.

Read twice and referred, 325.

Reported back, 398.

Passed the house, 799.

Other action, 1061.

Senate Bill No. 137—(Talcott)

An act amending section 9245, relating to unauthorized wearing or use of badges, name, title or officers, insignia, ritual or ceremonies of certain orders and societies, and the penalties provided therefor.

Received from senate, 296.

Read twice and referred, 324.

Reported back, 535.

Passed the house, 1040.

Other action, 1127.

Senate Bill No. 138—(Talcott)

A bill for an act to amend and re-enact section 2613 of the revised codes of 1905.

Received from senate, 320.

Read twice and referred, 325.

Reported back, 502.

Indefinitely postponed, 503.

Senate Bill No. 139—(Thatcher)

An act to provide for making necessary improvements at the industrial school and school for manual training, located at Ellendale, providing for the payment of interest on certificates of indebtedness and making an appropriation therefor.

Received from senate, 628.

Read twice and referred, 639.

Reported back, 704.

Passed the house, 779.

Other action, 895.

Senate Bill No. 143—(Albright)

A bill for an act to amend section 472 of the revised codes of 1905 relating to the boundaries and terms of court in the Fourth judicial district of the state of North Dakota.

Received from senate, 391.

Read twice and referred, 455.

Reported back, 928.

Indefinitely postponed, 928.

Senate Bill No. 144—(Talcott)

An act to amend section 949 of the revised codes of 1905, relating to education.

Received from senate, 357.

Read twice and referred, 453.

Reported back, 832.

Passed the house, 1167.

Other action, 1278.

Senate Bill No. 151—(Talcott)

An act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor.

Received from senate.

Read twice and referred, 453.

Reported back, 578.

Passed the house, 1042.

Other action, 1127.

Senate Bill No. 152—(Taylor)

An act to provide for the safe keeping of documents and bonds required to be deposited in the office of the county auditor.

Received from senate, 468.

Read twice and referred, 495.

Reported back, 608.

Passed the house, 1081.

Other action, 1128 (see correction in appendix).

Senate Bill No. 153—(Leutz)

An act making appropriations for the current and contingent expenses of the state reform school of North Dakota, and for making permanent improvements thereto.

Received from senate, 629.

Read twice and referred, 640.

Reported back, 710.

Passed the house, 757.

Other action, 838.

Senate Bill No. 156—(Hanna)

A bill for an act to amend section 8083 of the revised codes of 1905, relating to inventory and appraisement of the decedent's estate.

Received from senate, 1015.
Read twice and referred, 1025.
Reported back, 1050.
Indefinitely postponed, 1263.

Senate Bill No. 158—(Sharpe)

An act to amend section 1172 of the revised codes of 1905, relating to the industrial school and school for manual training.

Received from senate, 549.
Read twice and referred, 564.
Reported back, 831.
Passed the house, 1166.
Other action, 1236.

Senate Bill No. 159—(Thatcher)

An act designed to define the powers and increase the efficiency of the state normal and industrial school.

Received from senate, 611.
Read twice and referred, 638.
Re-referred, 1212.
Reported back, 1215.
Passed the house, 1252.
Other action, 1368.

Senate Bill No. 160—(Purcell)

An act to amend section 182 of the revised codes of 1905, relating to the assignee of purchasers of school lands.

Received from senate, 469.
Read twice and referred, 496.
Reported back, 576.
Passed the house, 1041.
Other action, 1138 (see correction in appendix).

Senate Bill No. 161—(Pierce)

A bill for an act to amend section 1484 of the political code, revised codes of North Dakota 1905.

Received from senate, 468.
Read twice and referred, 496.
Reported back, 1051.
Indefinitely postponed, 1051.

Senate Bill No. 162—(Talcott)

An act to amend section 894 of the revised codes of 1905, relating to education.

Received from senate, 503.
Read twice and referred, 561.
Reported back, 873.
Passed the house, 1175.
Other action, 1276.

Senate Bill No. 163—(Talcott)

An act to amend sections 747, 778, 799, 819, 836, 847, 879, 892, 912 of the revised codes of 1905, relating to education.

Received from senate, 503.
Read twice and referred, 561.
Reported back with amendments, 873.
Amendments adopted, 1249.
Other action, 1413.

Senate Bill No. 164—(Young)

An act to amend section 6241 of the revised codes of 1905, being section 4792 of the revised codes of 1895, relating to the clerk's record of mechanic's liens.

Received from senate, 392.
Read twice and referred, 455.
Reported back, 1005.
Passed the house, 1389.
Other action, 1457.

Senate Bill No. 165—(Sharpe)

A bill for an act to amend section 1934 of the revised code of 1905, relating to county commissioners vote on abolishing provisions of article 9, revised codes of 1905, entitled herd law; how conducted; and repealing sections 1935, 1936 and 1937 revised code of 1905.

Received from senate, 432.
Read twice and referred, 453.
Reported back, 717.

Senate Bill No. 167—(Sharpe)

An act to amend section 2245 of the revised codes of 1905, of the state of North Dakota, relating to licensing of public warehouses.

Received from senate, 813.
Read twice and referred, 855.
Reported back, 1079.
Received certified copy from senate, 1394.
Passed the house, 1399.
Other action, 1456.

Senate Bill No. 168—(Talcott)

A bill for an act to amend sections 977 and 998 of the revised codes of 1905, relating to education.

Received from senate, 357.

Read twice and referred, 453.

Reported back with amendments, 832.

Indefinitely postponed, 1026.

Senate Bill No. 169—(Rice)

An act to amend section 8149 of the 1905 revised codes of the state of North Dakota.

Received from senate, 1015.

Read twice and referred, 1025.

Reported back, 1050.

Passed the house, 1269.

Other action, 1455.

Senate Bill No. 171—(Little)

An act to regulate the investment of the funds and the real estate holdings of life insurance companies.

Received from senate, 171.

Read twice and referred, 1024.

Reported back, 1308.

Passed the house, 1386.

Other action, 1454.

Senate Bill No. 172—(Simpson)

An act establishing standard forms in which policies of life insurance may be issued in this state in which policies of life insurance companies organized under the laws of this state may be issued, and regulating the conditions and provisions to be contained in policies of life insurance companies that do not adopt such standard forms.

Received from senate, 1058.

Read twice and referred, 1101.

Reported back, 1390.

Passed the house, 1393.

Other action, 1455.

Senate Bill No. 173—(Simpson)

An act relating to the salaries of officers and agents of life insurance companies.

Received from senate, 998.

Read twice and referred, 1022.

Reported back, 1308.

Passed the house, 1382.

Other action, 1454.

Senate Bill No. 174—(Sifton)

An act to prohibit the issuance of non-participating policies by certain life insurance companies.

Received from senate, 469.

Read twice and referred, 497.

Reported back, 730.

Passed the house, 1106.

Other action, 1138.

Senate Bill No. 175—(Sifton)

An act defining the status of persons soliciting life insurance.

Received from senate, 470.

Read twice and referred, 496.

Reported back, 667.

Passed the house, 1084.

Other action, 1127.

Senate Bill No. 176—(Sifton)

An act to prohibit misrepresentations by life insurance companies.

Received from senate, 503.

Read twice and referred, 561.

Reported back, 730.

Passed the house, 1097.

Other action, 1138.

Senate Bill No. 177—(Simpson)

An act relating to the annual reports of life insurance companies.

Received from senate, 998.

Read twice and referred, 1023.

Reported back, 1307.

Passed the house, 1377.

Other action, 1457.

Senate Bill No. 178—(Simpson)

A bill for an act prohibiting corporations or stock companies acting as agents or solicitors for life insurance companies.

Received from senate, 999.

Read twice and referred, 1022.

Reported back, 1308.

Lost, 1378.

Senate Bill No. 179—(Simpson)

An act to prohibit discrimination by life insurance companies and providing penalties for violation thereof.

Received from senate, 469.

Read twice and referred, 496.

Reported back, 607.

Passed the house, 1083.

Other action, 1138.

Senate Bill No. 181—(Spoonheim)

A bill for an act to amend section 911 of the revised code of North Dakota for 1905, relating to notice of elections to vote bonds for school districts.
 Received from senate, 916.
 Read twice and referred, 967.
 Reported back, 1052.
 Indefinitely postponed, 1052.

Senate Bill No. 183—(Swenson)

An act regulating the retirement of capital stock in certain cases.
 Received from senate, 531.
 Read twice and referred, 563.
 Reported back, 730.
 Passed the house, 1098.
 Other action, 1128.

Senate Bill No. 184—(Swenson)

A bill for an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.
 Received from senate, 998.
 Read twice and referred, 1022.
 Reported back, 1308.
 Indefinitely postponed, 1379.

Senate Bill No. 185—(Taylor)

An act appropriating money to provide for the equipment and maintenance of a public health laboratory in the medical department of the state university and school of mines at Grand Forks.
 Received from senate, 629.
 Read twice and referred, 640.
 Reported back, 712.
 Passed the house, 751.
 Other action, 837.

Senate Bill No. 186—(Taylor)

An act making appropriation for expenses incurred in repairs made to the so-called main building at the state university and school of mines of North Dakota during the summer of 1906.
 Received from senate, 629.
 Read twice and referred, 641.
 Reported back, 708.
 Passed the house, 764.
 Other action, 837.

Senate Bill No. 187—(Pierce)

An act to provide for the protection of purchasers at judicial or foreclosure sales of real estate in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.
 Received from senate, 432.
 Read twice and referred, 454.
 Reported back with amendments, 602.
 Amendments adopted, 884.
 Passed the house, 1197.
 Other action, 1392.

Senate Bill No. 188—(Koffel)

A bill for an act to amend section 9371 of the revised codes of 1905, of the state of North Dakota, providing for the state's attorney to prosecute persons for unlawful dealing in intoxicating liquors and bring suits upon bonds or undertakings forfeited and to recover fines, and penalties, and the creation of a special fund.
 Received from senate, 469.
 Read twice and referred, 495.
 Reported back, 603.
 Indefinitely postponed, 603.

Senate Bill No. 189—(Simpson)

An act providing that the amount of insurance written upon real property shall be taken conclusively to be the true value thereof.
 Received from senate, 692.
 Read twice and referred, 851.
 Reported back, 996.
 Indefinitely postponed, 996.
 Minority report, 1010.
 Reconsidered, 1010.
 Recalled from senate, 1010.
 Returned, 1020.
 Passed the house, 1215.
 Other action, 1322.

Senate Bill No. 192—(Little)

An act regulating disbursements by life insurance companies.
 Received from senate, 432.
 Read twice and referred, 454.
 Reported back, 608.
 Passed the house, 1044.
 Other action, 1128.

Senate Bill No. 194—(Turner)

An act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business.

Received from senate, 512.

Read twice and referred, 564.

Reported back, 826.

Passed the house, 1115.

Other action, 1138.

Senate Bill No. 195—(Hanna)

An act providing for the naming by the governor of the state of a board of grain commission, prescribing their duties and providing an appropriation therefor.

Received from senate, 629.

Read twice and referred, 640.

Reported back, 709.

Passed the house, 760.

Other action, 895.

Senate Bill No. 199—(Simpson)

An act to provide for organizing counties from the unorganized territory in this state.

Received from senate, 849.

Read twice and referred, 851.

Reported back, 923.

Passed the house, 1130.

Other action, 1138 (see correction in appendix).

Senate Bill No. 200—(Hanna)

A bill for an act concerning labor, and providing means for protecting the liberty, safety and health of laborers, providing for its enforcement by the department of agriculture and labor.

Received from senate, 503.

Read twice and referred, 561.

Reported back, 1055.

Indefinitely postponed, 1302.

Senate Bill No. 202—(Simpson)

An act to repeal sections 2297 to 2321, both inclusive, of the revised codes of North Dakota for the year A. D. 1905, relating to organization of counties.

Received from senate, 850.

Read twice and referred, 852.

Reported back, 923.

Passed the house, 1129.

Other action, 1235.

Senate Bill No. 203—(McArthur)

A bill for an act to regulate the employment and occupation of railway telegraphers, and establishing a board of telegraph examiners.

Received from senate, 1059.

Read twice and referred, 1101.

Reported back, 1272.

Indefinitely postponed, 1276.

Senate Bill No. 205—(Cashel)

An act to amend sections 1819, 1820, 1821, 1822, 1823, 1827, 1828, 1831, 1832, 1835, 1840 and 1849 of the revised codes of 1905, the same being embraced in chapter 23 of the political code, relating to drainage.

Received from senate, 583.

Read twice and referred, 590.

Reported back with amendments, 731.

Amendments adopted, 1109.

Passed the house, 1110.

Other action, 1277.

Senate Bill No. 206—(Cashel)

An act defining a water course.

Received from senate, 392.

Read twice and referred, 455.

Reported back, 536.

Passed the house, 1040.

Other action, 1128.

Senate Bill No. 207—(Cashel)

An act creating a state library commission, defining its duties and providing an appropriation for its maintenance.

Received from senate, 631.

Read twice and referred, 640.

Reported back, 713.

Passed, 748.

Other action, 879.

Senate Bill No. 210—(Talcott)

An act in relation to the taxation of grain grown within this state and held therein in elevators, warehouses and granaries.

Received from senate, 611.

Read twice and referred, 631.

Reported back, 718.

Passed the house, 1096.

Other action, 1128.

Senate Bill No. 211—(Strom)

An act providing for the election of county surveyor and prescribing his duties and the manner in which his records shall be kept, and authorizing the board of county commissioners and the board of township supervisors to make surveys, and authorizing and prescribing the manner for the payment of the expenses incurred therein.

Received from senate, 504.

Read twice and referred, 562.

Reported back with amendments, 824.

Amendments adopted, 1026.

Passed the house, 1295.

Other action, 1456.

Senate Bill No. 212—(Spoonheim)

An act to amend section 28 of the revised codes of North Dakota of 1905, relating to legislative officers and employes and their compensation.

Received from senate, 1059.

Read twice and referred, 1100.

Reported back, 1307.

Passed the house, 1348.

Other action, 1457.

Senate Bill No. 213—(Purcell)

An act to amend section 9921 of the revised codes of the state of North Dakota, relative to change of place of trial.

Received from senate, 1059.

Read twice and referred, 1100.

Reported back, 1157.

Passed the house, 1299.

Other action, 1369.

Senate Bill No. 215—(Kraabel)

An act requiring the party in charge of a state institution to make an inventory of property therein.

Received from senate, 611.

Read twice and referred, 636.

Reported back, 827.

Passed the house, 1113.

Other action, 1138.

Senate Bill No. 216—(Kraabel)

A bill for an act to amend sections 1287 and 1288 of the revised codes of 1905 relative to insurance of public buildings.

Received from senate, 432.

Read twice and referred, 454.

Reported back, 607.

Other action, 1084.

Senate Bill No. 221—(Young)

A bill for an act entitled an act concerning artesian wells and the regulation and acquirement of rights to the use of water therefrom.

Received from senate, 877.

Read twice and referred, 909.

Reported back, 1006.

Indefinitely postponed, 1006.

Senate Bill No. 222—(McDonald, at request of the United States census bureau)

An act to provide for the immediate registration of all births and deaths throughout the state of North Dakota, by means of certificates of births and deaths, and burial or removal permits; to establish a bureau of vital statistics at the capitol of the state; and to insure the thorough organization and efficiency of the registration of vital statistics through-

Received from senate, 1059.

Read twice and referred, 1101.

Reported back, 1214.

Passed the house, 1254.

Other action, 1392.

Senate Bill No. 224—(Leutz)

An act providing for the placing of the inmates of the reform school of the state of North Dakota under the guardianship and control of the board of trustees of said reform school.

Received from senate, 504.

Read twice and referred, 561.

Reported back, 825.

Passed the house, 1164.

Other action, 1278.

Senate Bill No. 225—(Leutz)

An act making it a misdemeanor to fraudulently connect wires or instruments with electric wires or altering meters for the purpose of evading payment for electric current.

Received from senate, 532.

Read twice and referred, 563.

Reported back, 826.

Passed the house, 1112.

Other action, 1137.

Senate Bill No. 226—(Leutz)

An act for paroling inmates of the reform school.
 Received from senate, 611.
 Read twice and referred, 637.
 Reported back, 827.
 Passed the house, 1114.
 Other action, 1138 (see correction in appendix).

Senate Bill No. 227—(Leutz)

A concurrent resolution amending the constitution of the state of North Dakota relating to changing the name of the state reform school.
 Received from senate, 1105.
 Read twice and referred, 1180.
 Reported back, 1307.
 Indefinitely postponed, 1376.

Senate Bill No. 229—(Little)

A bill for an act amending sections 1278 and 1279 of the revised codes of North Dakota.
 Received from senate, 584.
 Read twice and referred, 591.
 Re-referred, 1160.
 Reported back, 1307.
 Indefinitely postponed, 1374.

Senate Bill No. 233—(Senate Committee on Judiciary)

An act making it unlawful for boards of trustees, commissioners, directors, regents, person or persons having control or management of the state institutions of North Dakota to expend amounts in excess of appropriation, providing for monthly reports to the governor, and repealing sections 1283 and 1284 of the revised codes of the state of North Dakota of 1905.
 Received from senate, 877.
 Read twice and referred, 909.
 Reported back, 927.
 Passed the house, 1275.
 Other action, 1368.

Senate Bill No. 235—(Talcott)

An act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Senate Bill No. 235—Continued.

Received from senate, 889.
 Read twice and referred, 910.
 Reported back with majority and minority reports, 1056.
 Minority report adopted, 1189.
 Passed the house, 1190.
 Other action, 1322.

Senate Bill No. 236—(Wagner)

A bill for an act regulating the duties of keepers of slaughter houses, power and duties of county boards of health, and providing a penalty for the violation thereof.
 Received from senate, 721.
 Read twice and referred, 854.
 Reported back, 1058.
 Lost, 1415.

Senate Bill No. 240—(Strom)

A bill for an act to divide the state of North Dakota into two (2) congressional districts, and defining the boundaries of each of said congressional districts of the state of North Dakota.
 Received from senate, 887.
 Read twice and referred, 910.
 Re-referred, 1212.

Senate Bill No. 242—(LaMoure)

An act making an appropriation to pay the interest due in the years 1907 and 1908 upon certain so-called institution bonds now held in the permanent school fund of the state.
 Received from senate, 629.
 Read twice and referred, 634.
 Reported back, 708.
 Passed the house, 763.
 Other action, 837.

Senate Bill No. 243—(LaMoure)

An act to reimburse the person or persons who advanced certain sums of money for the use and benefit of the state normal school at Mayville, the state normal school at Valley City and the industrial school at Ellendale, to provide for the interest on the said sums and making an appropriation therefor.

Received from senate, 629.
 Read twice and referred, 635.
 Reported back, 704.
 Passed the house, 776.
 Other action, 938.

Senate Bill No. 244—(LaMoure)

An act prescribing the duties and authority of the commissioners of public printing, and making an appropriation for public printing and binding.

Received from senate, 630.

Read twice and referred, 634.

Reported back, 712.

Passed the house, 750.

Other action, 839.

Senate Bill No. 245—(LaMoure)

An act to amend section 393 of the revised codes of 1905, providing for an appropriation for supplies for the capitol building, executive mansion and the public grounds and parks connected therewith and for necessary repairs upon the capitol building and executive mansion.

Received from senate, 630.

Read twice and referred, 633.

Reported back, 709.

Passed the house, 762.

Other action, 839.

Senate Bill No. 246—(LaMoure)

An act making an appropriation to pay the deficiency in the appropriation for the maintenance of the capitol for the years 1905 and 1906.

Received from senate, 630.

Read twice and referred, 636.

Reported back, 710.

Passed the house, 759.

Other action, 839.

Senate Bill No. 247—(Johnson of McLean)

An act to amend section 7598 of the revised codes of 1905, relating to the law of eminent domain.

Received from senate, 813.

Read twice and referred, 854.

Reported back, 901.

Passed the house, 1192.

Other action, 1322.

Senate Bill No. 248—(Movius)

A bill for an act to amend section 6146 of the revised codes of 1905 of the state of North Dakota, relating to extinction of liens.

Received from senate, 758.

Read twice and referred, 853.

Reported back, 928.

Indefinitely postponed, 928.

Senate Bill No. 249—(Movius)

A bill for an act to amend section 2928 of the revised codes of the state of North Dakota for 1905, relating to establishing permanent corners in cities and towns.

Received from senate, 531.

Read twice and referred, 562.

Reported back, 876.

Indefinitely postponed, 876.

Senate Bill No. 250—(Movius)

An act to amend section 2771 of the revised codes of North Dakota, regulating sewers.

Received from senate, 584.

Read twice and referred, 591.

Reported back, 668.

Passed the house, 1088.

Other action, 1128.

Senate Bill No. 251—(Purcell)

An act making entries in a book or other permanent form evidence in certain cases.

Received from senate, 998.

Read twice and referred, 1022.

Reported back, 1050.

Passed the house, 1258.

Other action, 1369.

Senate Bill No. 253—(Plain)

An act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

Received from senate, 850.

Read twice and referred, 852.

Reported back, 902.

Passed the house, 1246.

Other action, 1369.

Senate Bill No. 254—(Sifton)

An act regulating the organization and operation of corporations, associations and societies to do and transact upon the assessment plan the business of accident or sickness, or accident and sickness insurance, and providing for the regulation and control of the same, and to regulate and control such corporations, associations and societies organized in other

Senate Bill No. 254—Continued.

states, territories and countries and doing business in this state, prescribing the duties of the insurance commissioner of the state in relation thereto, and fixing th penalty for the violation of its provisions.

Received from senate, 993.

Read twice and referred, 1022.

Reported back, 1306.

Passed the house, 1375.

Other action, 1457.

Senate Bill No. 255—(Little)

Amending the constitution of the state of North Dakota, relating to the number of judges of the supreme court.

Received from senate, 532.

Read twice and referred, 562.

Reported back, 685.

Other action, 1091.

Passed the house, 1279.

Other action, 1370.

Senate Bill No. 259—(Crape)

A bill for an act to amend and re-enact sections 4639-4655 and 4662 of chapter 21, of the revised codes of 1905, relating to banking corporations.

Received from senate, 722.

Read twice and referred, 851.

Reported back with majority and minority reports, 1003.

Majority report adopted, 1185.

Lost, 1185.

Senate Bill No. 262—(Spoonheim)

An act relating to the licensing of transient merchants and providing a penalty for the violation thereof.

Received from senate, 611.

Read twice and referred, 632.

Reported back, 824.

Passed the house, 1116.

Other action, 1138.

Senate Bill No. 263—(Palmer)

A bill for an act prohibiting servants and employees on sleeping cars and dining cars from accepting gratuities or tips, and prohibiting persons giving gratuities or tips.

Received from senate, 814.

Read twice and referred, 854.

Reported back, 873.

Indefinitely postponed, 1175.

Senate Bill No. 267—(Purcell)

An act to amend section 7176 of the 1905 revised codes of North Dakota, relating to attorney's fees on foreclosures.

Received from senate, 997.

Read twice and referred, 1023.

Reported back, 1050.

Passed the house, 1262.

Other action, 1368.

Senate Bill No. 268—(Little)

An act making an appropriation to pay for certain books for the state law library.

Received from senate, 630.

Read twice and referred, 633.

Reported back, 711.

Passed the house, 752.

Other action, 880.

Senate Bill No. 269—(Steele)

An act to amend and re-enact section 2894 of the revised codes of North Dakota for 1905, relating to extension of corporate limits of villages.

Received from senate, 611.

Read twice and referred, 637.

Reported back, 819.

Passed the house, 1168.

Other action, 1278.

Senate Bill No. 270—(Wagner)

An act to provide for the payment of the necessary expenses of the state officers of the state of North Dakota.

Received from senate, 630.

Read twice and referred, 635.

Reported back, 715.

Passed the house, 756.

Other action, 880.

Senate Bill No. 271—(Purcell)

An act to amend section 7246 of the revised codes of 1905, relating to examination of parties.

Received from senate, 1011.

Read twice and referred, 1023.

Reported back, 1049.

Passed the house, 1257.

Other action, 1369.

Senate Bill No. 273—(McArthur)

An act to amend section 4392 of the revised codes of the state of North Dakota of 1905, relating to the construction of "Ys" and transfer facilities at railroad crossings, and providing a penalty for the violation thereof

Received from senate, 532.

Read twice and referred, 562.

Reported back, 720.

Passed the house, 1094.

Other action, 1277.

Senate Bill No. 274—(Leutz)

An act requiring the secretary or other executive officer of every county, district or state fair association or other exhibit at which the resources or products of the state are placed an exhibition, to file with the commissioner of agriculture a list of the dates claimed by said association for the purpose of conducting the same.

Received from senate, 611.

Read twice and referred, 637.

Reported back, 716.

Passed the house, 1095.

Other action, 1137.

Senate Bill No. 275—(Crane)

An act making an appropriation for the state historical society of North Dakota.

Received from senate, 630.

Read twice and referred, 633.

Reported back, 703.

Passed the house, 780.

Other action, 938.

Senate Bill No. 276—(Gilbert)

An act relating to liability of common carriers to their employees.

Received from senate, 876.

Read twice and referred, 909.

Reported back, 935.

Passed the house, 1202.

Other action, 1322.

Senate Bill No. 277—(Sharpe)

An act providing the manner in which the right-of-way for railroad companies over lands belonging to wards or deceased persons may be acquired.

Received from senate, 850.

Read twice and referred, 852.

Reported back, 929.

Passed the house, 1300.

Other action, 1370.

Senate Bill No. 278—(Senator Hanna and Representative Peake)

An act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Received from senate, 709.

Read twice and referred, 853.

Reported back, 876.

Passed the house, 1139.

Other action, 1370.

Senate Bill No. 279—(Purcell)

An act authorizing the use of type-written abstracts and briefs in certain criminal cases on appeal to the supreme court.

Received from senate, 1015.

Read twice and referred, 1024.

Reported back, 1050.

Passed the house, 1267.

Other action, 1369.

Senate Bill No. 280—(Purcell)

An act to amend subdivision 3 of section 7225 of the revised codes of 1905 of North Dakota, relating to appeals to the supreme court from order made in certain cases.

Received from senate, 1059.

Read twice and referred, 1101.

Reported back, 1307.

Passed the house, 1361.

Other action, 1454.

Senate Bill No. 281—(Hanna)

A bill for an act entitled an act to provide for the vacation of alleys in cemeteries owned by cemetery corporations.

Received from senate, 813.

Read twice and referred, 854.

Senate Bill No. 282—(McArthur)

An act to establish regular sessions for state board of railway commissioners and fixing the time, manner and place where such sessions shall be held, and otherwise defining their powers and duties; also defining the duties of the attorney general in relation thereto.

Received from senate, 722.

Read twice and referred, 852.

Reported back, 900.

Passed the house, 1176.

Other action, 1277.

Senate Bill No. 285—(Taylor)

An act to foster the development of mineral and allied industries by providing for experimentation, encouragement, publicity and practical tests under the direction of the school of mines.

Received from senate, 631.
Read twice and referred, 640.
Reported back, 713.
Passed the house, 745.
Other action, 879.

Senate Bill No. 286—(Koffel)

An act to authorize holders of state or school land contracts for lands over which railroads have been or may be located and established subsequent to the issuance of such contracts, to surrender such contracts, and obtain new contracts for the land less the rights-of-way required for such railroad, and providing for the payment to the state of the balance of the purchase price of the land required for such rights-of-way and issuance of deeds therefor.

Received from senate, 813.
Reported back, 936.
Passed the house, 1204.
Other action, 1322.

Senate Bill No. 287—(Koffel)

An act to amend section 183 of the revised codes of 1905 of chapter 4 of the political code of the state of North Dakota, providing for the surrender of state or school land contracts and division of the land covered thereby, and the issuance of new contracts for such subdivisions.

Received from senate, 722.
Read twice and referred, 853.
Reported back, 936.
Passed the house, 1201.
Other action, 1277.

Senate Bill No. 289—(Plain)

An act to amend section 2231 of the revised codes of North Dakota for 1905, relating to abstractors of title, bonds to be given.

Received from senate, 850.
Read twice and referred, 851.
Reported back, 631.
Passed the house, 1305.
Other action, 1414.

Senate Bill No. 290—(Simpson)

An act to amend and re-enact section 468 of the revised codes of North Dakota for the year A. D. 1905, relating to judicial districts within the state.

Received from senate, 889.
Read twice and referred, 911.
Reported back, 1306.
Passed the house, 1358.
Other action, 1456.

Senate Bill No. 292—(Simpson)

An act creating and defining the tenth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Received from senate, 891.
Read twice and referred, 910.
Reported back, 1306.
Passed the house, 1359.
Other action, 1456.

Senate Bill No. 293—(Kraabel)

An act to amend section 394 of chapter 5 of the political code of the revised codes of 1905 for North Dakota, relative to verified claims against the state.

Received from senate, 877.
Read twice and referred, 910.
Reported back, 930.
Passed the house, 1208.
Other action, 1323.

Senate Bill No. 294—(Kraabel)

A bill for an act to amend and re-enact section 40 of the revised codes of 1905.

Received from senate, 997.
Read twice and referred, 1021.
Reported back, 1307.
Indefinitely postponed, 1373.

Senate Bill No. 295—(Crane)

An act to amend section 8983 of the revised codes of 1905.

Received from senate, 813.
Read twice and referred, 855.
Reported back, 875.
Passed the house, 1171.
Other action, 1236.

Senate Bill No. 296—(Rice)

A bill for a concurrent resolution to amend section 182 of the constitution of the state of North Dakota, relating to a public debt and public works.

Received from senate, 814.

Read twice and referred, 854.

Reported back, 874.

Indefinitely postponed, 1176.

Senate Bill No. 297—(Rice)

A bill for an act requiring county officers to reside at and maintain their offices at the county seat of their respective counties.

Received from senate, 916.

Read twice and referred, 967.

Reported back, 1055.

Passed the house, 1311.

Reconsidered, 1311.

Lost, 1313.

Senate Bill No. 298—(Halliday)

A bill for an act requiring each county officer who receives from any county a stated salary of not less than \$2,000 per annum, to keep a record of the fees received by him as such officer and to pay such fees into the county treasury, and making it a misdemeanor for any such officer to neglect or omit to charge or collect the fees which he is by law allowed to charge or collect, or to fail to keep a record of the same, or to fail to turn over or pay the same into the county treasury.

Received from senate, 1105.

Read twice and referred, 1180.

Reported back, 1391.

Indefinitely postponed, 1410.

Senate Bill No. 301—(LaMoure)

A joint resolution authorizing the state auditing board in their discretion, from time to time, as the necessities may arise, to employ additional clerical assistance in the various state offices, and authorizing an appropriation for the payment therefor.

Received from senate, 548.

Read twice and referred, 563.

Reported back, 712.

Passed the house, 749.

Other action, 880.

Senate Bill No. 302.

A concurrent resolution amending section 158 of the constitution of the state of North Dakota, relating to the sale of state lands.

Received from senate, 721.

Read twice and referred, 853.

Reported back, 937.

Re-referred, 937.

Reported back, 482.

Passed the house, 1184.

Other action, 1277.

Senate Bill No. 304—(LaMoure)

An act to amend and re-enact section 2329 of the revised codes of North Dakota for the year 1905, relative to the division of counties.

Received from senate, 1015.

Read twice and referred, 1024.

Reported back, 1050.

Passed the house, 1380.

Other action, 1455.

Senate Bill No. 306—(Simpson)

An act to provide for the assessment of lignite coal and minerals underlying lands in cases of severed ownership.

Received from senate, 998.

Read twice and referred, 1021.

Reported back, 1049.

Passed the house, 1250.

Other action, 1368.

Senate Bill No. 307—(Kelly)

A bill for an act prescribing additional duties of the county surveyor.

Received from senate, 1105.

Read twice and referred, 1180.

Reported back, 1390.

Passed the house, 1398.

Reconsidered, 1417.

Recalled, 1417.

Indefinitely postponed, 1417.

Senate Bill No. 308—(Senate Committee on Judiciary)

An act to amend sections 8289, 8292, 8295, 8304, 8311, 8316 and 8318 of the revised codes of North Dakota for 1905, relating to the practice in the county courts.

Received from senate, 890.

Read twice and referred, 910.

Reported back, 928.

Passed the house, 1155.

Other action, 1277.

Senate Bill No. 310—(Talcott)

A bill for an act to regulate the public service of stallions and jacks in the state of North Dakota.

Received from senate, 892.

Read twice and referred, 911.

Reported back, 1055.

Re-referred, 1104.

Indefinitely postponed, 1159.

Senate Bill No. 311—(Koffel)

An act to prohibit discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof.

Received from senate, 997.

Read twice and referred, 1021.

Reported back, 1391.

Passed the house, 1420.

Other action, 1455.

Senate Bill No. 313—(Kelly)

An act to amend section 4224 of the revised codes of the state of North Dakota, relating to the increasing or diminishing of the capital stock of corporations.

Received from senate, 1011.

Read twice and referred, 1023.

Reported back, 1050.

Passed the house, 1387.

Other action, 1457.

Senate Bill No. 318—(Spoonheim)

An act to amend sections 1872 and 1877 of the revised codes of 1905, relating to duty of superintendent of county asylum and poor farm.

Received from senate, 1018.

Read twice and referred, 1024.

Reported back, 1050.

Passed the house, 1261.

Other action, 1368.

Senate Bill No. 320—(Young)

An act to amend sections 1078, 1079, 1084, 1085, 1086, 1087 and 1090 of the revised codes of North Dakota of 1905, relative to the state normal schools at Valley City and Mayville.

Received from senate, 877.

Read twice and referred, 909.

Reported back with amendments, 1253.

Passed the house, 1256.

Other action, 1454.

Senate Bill No. 321—(Simpson)

A bill for an act entitled: An act to provide for changing county lines of organized counties to include unorganized territory.

Received from senate, 1016.

Read twice and referred, 1024.

Reported back, 1307.

Lost, 321.

Reconsidered, 1404.

Passed the house, 1404.

Other action, 1457.

Senate Bill No. 325—Johnson of McLean)

An act amending and re-enacting section 2592 of the revised codes of 1905, relating to salary of county Auditors.

Received from senate, 1105.

Read twice and referred, 1181.

Reported back, 1391.

Passed the house, 1414.

Other action, 1456.

Senate Bill No. 326—(Regan)

An act to provide for owners and managers of elevators and warehouses to make annual reports to the commissioner of agriculture and labor.

Received from senate, 1058.

Read twice and referred, 1100.

Reported back, 1158.

Passed the house, 1245.

Other action, 1369.

Senate Bill No. 327—(McLean)

A bill for an act to amend and re-enact section 3054 of the revised codes of 1905 of the state of North Dakota, relating to how civil townships may be formed.

Received from senate, 1016.

Read twice and referred, 1024.

Senate Bill No. 328—(Johnson of McLean)

A bill for an act to amend section 9765 of the revised codes of the state of North Dakota for 1905, relating to preliminary examinations.

Received from senate, 1058.

Read twice and referred, 1100.

Senate Bill No. 333—(Senate Committee on Education)

An act to amend sections 1050, 1051, 1082, 1092 and 1231 of the revised Codes of 1905, relating to education.

Received from senate, 1020.

Read twice and referred, 1021.

Reported back, 1049.

Passed the house, 1226.

Other action, 1370.

Senate Bill No. 334—(Cashel)

Amending section 162 of the constitution of the state of North Dakota, relating to the investment of permanent school funds.

Received from senate, 937.

Read twice and referred, 967.

Reported back, 1003.

Passed the house, 1280.

Other action, 1323.

Senate Bill No. 336—(Crane)

A bill for an act providing that boards of trustees of the state institutions shall file with the governor in each even numbered year a statement of needs for permanent improvements.

Received from senate, 1104.

Read twice and referred, 1180.

Indefinitely postponed, 1279.

Senate Bill No. 337—(Sharpe)

An act authorizing the city council to re-district into wards any city in this state of less than two thousand population.

Received from senate, 1059.

Read twice and referred, 1100.

Reported back, 1157.

Passed the house, 1248.

Other action, 1367.

Senate Bill No. 338—(Crane)

An act requiring the governor to furnish each legislative assembly a financial and statistical report on state institutions, requiring institutional trustees to furnish data demanded by the governor for this purpose and providing for payment of the necessary clerical and printing costs of such statements.

Received from senate, 1105.

Read twice and referred, 1180.

Reported back, 1213.

Passed the house, 1228.

Other action, 1368.

Senate Bill No. 339—(Simpson)

An act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson, in Stark county.

Received from senate, 1067.

Read twice and referred, 1102.

Reported back, 1157.

Passed the house, 1161.

Other action, 1277.

Senate Bill No. 340—(Pierce and Koffel)

Joint resolution creating board to obtain information regarding public service corporations, their values and management.

Received from senate, 1139.

Read twice and referred, 1180.

Reported back, 1306.

Passed the house, 1309.

Other action, 1457.

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REPORT OF SPECIAL COMMITTEE

CORRECTIONS IN JOURNAL OF MARCH 8, 1907

The special committee appointed to correct the printed journal of the 8th day of March 1907, containing a record of the proceedings of the fifty-ninth day after recess and the sixtieth day, submit the following corrections (Loose edition):

On page 4, line 5, change the word "House" to "Senate." On the same page strike out lines 6 and 7 and insert in lieu thereof, the following: "A bill for an act to amend section 2231 of the Revised Codes of North Dakota for 1905, relating to abstractors of title-bonds to be given."

On page 5, after line 5, insert "The steering Committee made the following report." On same page strike lines 11, 12, 13, 14 and 15 and insert in lieu thereof, "Senate Bill No. 290. A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D., 1905, relating to judicial distribution within the state."

On page 5 after line 20, insert "Also, Senate Bill No. 292. A bill for an act creating and defining the Tenth Judicial District with the State of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district."

On page 16, strike out lines 1, 2 and 3. On page 17, line 2, change "Senate" to "House,"

On page 18, line 7 from bottom, strike out the words "as amended."

On page 22, after line 7, insert, "A Concurrent Resolution."

On page 34, after line 12, insert "P. D. Norton, Chief Clerk."

On page 37, after line 25, add the word "state."

On page 50, after line 21, insert "Which motion prevailed."

On page 51, line 23, strike out "as amended."

On page 52, last line, strike out "as amended."

On page 54, line 12, strike out "as amended."

On page 55, line 14, change figures, "90" to "89." Same page line 15, change "9" to "10." On same page strike out name "Tufte" from those voting in the affirmative and insert name "Tufte" among those absent and not voting.

On page 57 strike out lines 15 to 22 inclusive and insert in lieu thereof "Senate Bill No. 290." A bill for an act to amend and re-enact section 468 of the Revised Codes of North Dakota for the year A. D., 1905, relating to judicial districts within the state.

On page 699, line 28, change "78" to "77" and in line 29, same page, change "13" to "12."

On page 70 change name "Tufte" in the roll call from those voting in the affirmative to those absent and not voting. On same page at the end of the roll call add, "Messrs. Shannafelt, Shirley, and Tufte being excused."

On page 71, line 6, change "69" to "68" and in line 7, same page, change "31" to "30" and in the roll call change the name "Tufte" from those voting in the affirmative to those absent and not voting. On same page, line 6 from bottom, strike out "as amended."

On page 72, strike out lines 1, 2 and 3, and insert in lieu thereof, "Senate Bill No. 294. A bill for an act to amend and re-enact section 40 of the Revised Codes of 1905."

On page 75, strike lines 28, 29 and 30, and insert in lieu thereof, "Senate Bill No. 227. A Concurrent Resolution amending the Constitution of the State of North Dakota, relating to changing the name of the state reform school."

On page 80, strike out lines 2 and 5 inclusive, from the bottom and insert in lieu thereof, "Senate Bill No. 173. A bill for an act relating to the salaries of officers and agents of life insurance companies."

On page 81, at the end of the roll call insert "Messrs. Shannafelt, Shirley and Tufte being excused."

On page 82, line 27, change "house" to "senate."

On page 89, after line 18, insert "The Steering Committee made the following report."

On page 90, strike out lines 18, 19, 20 and 21 and insert in lieu thereof, "Senate Bill No. 325. A bill for an act amending and re-enacting section 2592 of the Revised Codes of 1905, relating to salary of county auditors."

On page 96, before line 4 from the bottom, insert "and passed as amended." "Very respectfully, J. W. Foley, Secretary."

On page 97, line 3 from bottom, after the word "moved" insert "that the engrossed certified copy of." And on same page, line 2 from bottom, before the word "be," insert "received from the Senate."

On page 98, line 1, after the word "moved" insert "that." Same page, line 5, change "169" to "167" and strike out lines 6 and 7 and insert in lieu thereof "A bill for an act to amend section 2245 relating to license. How obtained. Fee, how determined."

On page 107, at the end of line 12, insert "as amended by the Senate."

On page 109, line 15, strike out the words "as amended."

On page 110, line 1, after the word "committee" insert the word "report."

On page 111, line 5, change "79" to "80." On same page, line 6, change "19" to "18."

On page 112, line 23, change "149" to "49." And on the same page strike out lines 24, 25 and 26 and insert in lieu thereof the following: "A bill for an act to amend section 429 of chapter 6 of the Political Code of 1905, relating to vacancies in the board of county commissioners."

On page 115, line 28 strike out "passed and the title was agreed to" and insert in lieu thereof "was lost."

On page 116, strike out lines 25 and 26.

On page 126, line 35, strike out, "as amended." And on the same page at the end of the roll call insert "Messrs. Shannafelt, Shirley and Tufte being excused."

On page 137 after the word "railways" in line 36 insert "as is done."

On page 140, line 19, after the word "now" insert "Mr. Casey." And on the same page, lines 19 and 20, inclose in quotation marks the words "Now you are getting the old man riled up."

On page 143, strike out lines 21 to 24 inclusive, and insert in lieu thereof the following: Senate Bill No. 307. A bill for an act prescribing additional duties of the county surveyor."

On page 146, strike out lines 1, 2, 3 and 4 from the bottom and insert in lieu thereof "House Bill No. 107. A bill for an act providing for the erection and maintenance of workhouses in counties having a population of ten thousand or more inhabitants."

On page 147, strike out lines 1 and 2,

On page 149, in line 1, change the word "House" to "Senate." And on same page, line 18, strike out the words "have examined" and insert in lieu thereof the following, "respectfully report that."

On page 154, line 30, change "69" to "169." And on the same page strike out lines 31, 32 and 33 and insert in lieu thereof "A Bill for an act to amend section 8149 of the Revised Codes of the State of North Dakota."

Respectfully submitted,

P. D. NORTON,
W. D. AUSTIN,
O. J. QUAMME,
Special Committee.

CORRECTIONS IN THE PERMANENT BOUND EDITION OF THE PRINTED JOURNAL

The special committee appointed to revise and correct the printed journal and compare the same with the written journal of the session, submit the following report of corrections to be made in the printed journal:

On page 2, lines 4 and 5, strike out "John A. Sorley." Same page insert after line 5, "Seventh District, William S. Dean, Arne P. Haugen, John A. Sorley."

On page 3, line 7, change name "John Schlenker" to "Johann Schlenker" and wherever same occurs throughout the journal. Same page, line 22, change "Messrs" to "Mr."

On page 4, line 25, change "O. P. Anderson" to "O. P. N. Anderson" and wherever same occurs throughout the journal.

On page 11, line 43, change word "messenger" to "Postmaster." And on same page, line 36, make same correction.

On page 27 at end of line 35, insert "Rev. F. W. Stanton, Chaplain."

On page 39, line 26, after the word "to" insert O. K. Hovet, Sergeant at Arms, J. L. Smith Janitor, Fred James, Page."

On page 41, line 9, change name "W. A. Shirley" to "M. A. Shirley" and wherever same occurs throughout the journal.

On page 72, line 8, change "Juel" to "Joel."

On page 76, line 2 from bottom, correct spelling of "ensuing."

On page 82, line 10, change word "gunds" to "funds."

On page 84, line 8, change word "gunds" to "funds."

On page 90, line 16, change name "Thorson" to "Thoreson."

On page 102, strike out line 9 from bottom.

On page 103, line 4 from bottom, change name "Olson" to "Olsness."

On page 104, line 15, after word "stenographer" insert "O. N. Brekke, Committee Clerk."

On page 108, line 9 from bottom, correct spelling of word "correction."

On page 177, line 20, change name "Bagstie" to "Bogstie."

On page 228, change name "Human" to "Herman."

On page 236, strike out line 5 from bottom.

On page 261, line 8, from bottom, correct spelling of "Sargent."

On page 264, at end of line 8, add the word "moved."

On page 321, between lines 11 and 12 from bottom, insert "Mr Speaker."

On page 389, after word "day" in line 16, insert "after recess."

On page 417, after line 17, insert "and when so amended recommend the same do pass."

On page 423, line 2 from bottom, change "54" to "53;" same page, last line, change "19" to "20."

On page 441, line 3 from bottom, change "N. Y." to "N. D."

On page 466, line 7, strike out "President" and substitute in lieu thereof "Speaker."

On page 561, strike out lines 27 to 32 inclusive, and insert in lieu thereof the following, "Senate Bill No. 224. A bill for an act providing for the placing of the inmates of the reform school of the State of North Dakota under the guardianship and control of the board of trustees of said reform school."

On page 633, change "Senate Bill No. 266 to 268" and correct title to correspond therewith.

On page 693, strike out lines 6, 7, 8, 9, and 10.

On page 701, insert after line 29, the following, "And when so amended recommend the same do pass."

On page 717, change "Senate" to "House" and change title to correspond.

On page 718, change "Senate" to "House" and change title to correspond.

On page 730, line 20, change "House" to "Senate" and change title to correspond therewith.

On page 738, complete title of Senate Bill No. 118.

On page 756, in lines 13 and 17, change the words "Senate" to "House."

On page 766, correct title of Senate Bill No. 64.

On page 771, in line 20, change the word "adopted" to "lost."

On page 778, line 5, strike out the name "Walker."

On page 780, line 26, after the figures "17" insert "2 present and not voting."

On page 785, strike out line 24 and insert "Absent and not voting." Page 785 strike out line 32 and insert "Those who voted in the negative were."

On page 795, line 12, change figures "82" to "83" and "5" to "6."

On page 820, line 18, change figures "320" to "322" and change title to correspond therewith.

On page 841, line 28, after the word "original" insert the word "motion".

On page 849, line 4 from bottom, strike out "return" and insert "transmit".

On page 868, line 11, after the name "Rose" insert the words "of Dickey."

On page 891, line 9 from bottom of page insert "Mr. Speaker."

On page 893, line 4 from bottom of page change the word "Senate to "House."

On page 919, line 5 from bottom of page strike out the word "also" and insert the following "The committee on enrollment made the following report, Mr. Speaker: Your committee on enrollment have examined."

On page 991, line 11, strike out the name "Shannafelt."

On page 992, line 21, strike out the name "Shannafelt."

On page 993, line 28, strike out the name "Shannafelt."

On page 994, line 9 from bottom, strike out the name "Shannafelt."

On page 1040, line 9 from bottom, strike out figures "77" and insert in lieu thereof "206."

On page 1095, at top of page, change "Wednesday March 6th" to "Tuesday March 5th."

On page 1100 strike out Senate Bill No. 218 and the title to the same.

On page 1102, line 6, change figure "2" to "3" and change title of bill to correspond therewith.

On page 1107, line 10, change word "transmit" to "return."

On page 1118, line 20, strike out figure "1."

On page 1123, after line 15 from bottom of the page, insert the following: "which the senate has amended as follows."

On page 1128, after line 9, insert "also Senate Bill 152, a bill for an act to provide for the safekeeping of documents and bonds required to be deposited in the office of the county auditor. Also, Senate Bill No. 134 (with title)."

On page 1136, after line 22, insert "Mr. Martin of Morton voting in the negative."

On page 1138, before line 2 from bottom, insert, Also Senate Bill No. 42 (with title), Also Senate Bill No. 226 (with title), Also Senate Bill No. 199 (with title), Also Senate Bill No. 262 (with title)."

On page 1141, insert after line 12, "Messrs. Shannafelt and Shirley being excused."

On page 1143, line 15, after "Shirley" insert "Shannafelt."

On page 1144, line 10, change figures "3" to "2."

On page 1159, line 11 from bottom, change "Senate" to "House" and correct title to correspond therewith.

On page 1182, change figures "325" to "335."

On page 1193, at end of roll call, insert "Messrs. Shannafelt and Shirley being excused." "So the bill passed and the title was agreed to."

On page 1228, line 2, strike out figures "25" and insert "125."

On page 1233 strike out all reference to "House Bill No. 275," and insert in lieu thereof "House Bill 274 (with title.)"

On page 1241, after Special Order, strike out the word "Senate" and insert in lieu thereof the word "House" and change title to correspond therewith.

On page 1257, in line 15, change word "passed" to "lost."

On page 1294, line 25, change word "Senate" to "House" and correct title to correspond therewith.

On page 1305, line 5, change word "Senate" to "House" and correct title to correspond therewith.

On page 1306, line 5, after word "Prevailed" insert "The Steering Committee made the following report."

On page 1306, line 11, change figures "200" to "290" and correct title to correspond therewith.

On page 1306, line 20, after word "given" insert "Senate Bill No. 292 (with title.)"

On page 1317 strike out the first three lines.

On page 1318, line 2, change the word "Senate" to "House."

On page 1323, line 7, after figures "334" insert "A Concurrent Resolution."

On page 1335, line 12, after the word "adjourned" insert P. D. Norton, Chief Clerk."

On page 1338, line 25, after word "the" at end of line, insert the word "state."

On page 1339 correct title of House Bill No. 292.

On page 1351, line 21, after word "amended" insert "which motion prevailed."

On page 1353, last line, strike out words "as amended."

On page 1356, line 14, change figures "90" to "89."

On page 1356, line 15, change figures "9" to "10."

On page 1356, line 40, strike out name "Tufte."

On page 1356, line 52, after name "Shirley" insert "Tufte."

On page 1357, line 3, strike out words "as amended."

On page 1370, line 28, change figures "78" to "77."

On page 1370, line 12, change figures "13" to "12."

On page 1372, line 6, change figures "69a" to "68."

On page 1372, line 7, change figures "30" to "31."

On page 1372, from among those voting in the affirmative, strike out the name "Tufte" and insert the name "Tufte" among those absent and not voting.

On page 1372, line 6 from bottom, strike out "as amended."

On page 1372, line 1, change word "House" to "Senate" and correct title to correspond therewith.

On page 1383, line 27, change word "House" to "Senate."

On page 1397, line 44, after word "clause" insert " and passed as amended. Very respectfully, J. W. Foley, Secretary."

On page 1399, line 5, change figures "169" to "167" and correct title to correspond therewith.

On page 1412, line 5, change figures "79" to "80."

On page 1412, line 6, change figures "19" to "18."

On page 1413, line 23, strike out figure "1" and insert title to correspond therewith.

On page 1417, strike out lines 25, 26 and 27.

On page 1444, line 21, change word "House" to "Senate" and correct title to correspond therewith.

On page 1450, line 18, strike out the words "have examined" and insert in lieu thereof "respectfully report."

On Page 1455, line 30, change figures "69" to "169" and correct title to correspond therewith.

Respectfully submitted,

P. D. NORTON,
W. D. AUSTIN,
A. J. QUAMME,
Special Committee.

CORRECTIONS IN WRITTEN JOURNAL.

The special committee appointed to revise and correct the printed journal and compare the same with the written journal of the session, submit the following report of corrections to be made in the written journal:

On page 2, line 21, change name "John Schlenker" to "Johann" Schlenker" and wherever same occurs throughout the journal. Same page, line 33, change "Messrs" to "Mr."

On page 4, line 20, change word "Ward" to "Barnes."

On page 8, line 36, change word "Messenger" to "Postmaster., and on same page, line 38, make same correction.

On page 14, line 12, after word "declared" insert the word "only."

On page 19, line 32, after word "assistant" insert the word chief."

Same page, line 10 from bottom, after word "clerks" insert "Rev. F. W. Stanton, Chaplain."

On page 31, line 13, after the figure "2" insert "O. K. Hovet, Sergeant at Arms, J. L. Smith, Janitor, Fred James, Page."

On page 32, line 2, after word "it" insert "had."

On page 73, line 9, after word "all" insert "bills."

On page 74, line 24, change word "grounds" to "funds."

On page 92, line 23, after word "stenographers" insert "O. N. Brekke, Committee Clerk."

On page 180, at end of line 15, insert "House Bill No. 36."

On page 182, line 18, after word "the" insert the word "bill."

On page 184, line 5, change name "Human" to "Herman."

On page 190, lines 7 and 8, strike out the words "and when so amended recommend the same do pass."

On page 190, after line 10, insert "all that portion of the record of the House proceedings for the 22nd day as is found on pages 237, 238, 239, and 240 of the permanent bound edition of the journal."

On page 193, line 30, after word "have" insert the word "had."

On Page 200, after line 8, insert the following, "Also House Bill 162, A bill for an act providing for placing dependent children under sixteen years of age in family homes when parents or custodians fail to support. Have had the same under consideration and recommend the same do pass. J. A. Sorley, Chairman."

On page 231, last line, change the word "House" to "Senate."

On page 239, line 3 from bottom, after the word "Stevens" insert the word "moved."

On page 243, after line 2 from the bottom, add "And find the same correctly enrolled."

On page 276 transpose all of said page after the word "substitute" in line 8 from bottom, and line 1 of page 277, to page 288 and insert the same after the word "approved" in line 5 of said page.

On page 289, in lines 9 and 10 from bottom, strike out "and recommend the same be amended as follows" and insert in lieu thereof "and when so amended recommend the same do pass."

On page 293, after last word from second line from bottom, insert "have examined."

On page 297, after last word in line 8, add "postponed."

On page 302, line 20, after word "day" insert "after recess."

On page 326, after line 10, insert "and when so amended recommend the same do pass."

On page 362, line 18, strike out the word "president" and substitute in lieu thereof the word "Speaker."

On page 436, in lines 9 to 14 inclusive, strike out all reference to Senate Bill No. 234 and insert in lieu thereof the following, "Senate Bill No. 224, A bill for an act providing for the placing of inmates in the reform school of the State of North Dakota under the guardianship and control of the board of trustees of said reform school."

On page 454, line 14, after the word "adopted" insert the following, "Also House Bill No. 159, A bill for a Concurrent Resolution for amending the Constitution of the State of North Dakota, providing for the purchase and sale of school and public lands. Have had the same under consideration and recommend the same do pass. O. J. Sorlie, Chairman. "Mr. Sorlie moved that the report be adopted. Which motion prevailed and the report was adopted."

On page 461, line 5 from bottom, change word "passed" to placed."

On page 473, after line 11 from bottom, insert the following, "Mr. A. J. Sorley moved that the report be adopted. Which motion prevailed and the report was adopted. Also, House Bill No. 287, A bill for an act to provide for the protection of purchasers at judicial or foreclosure sales of real estate, in the payment of taxes, assessments, prior liens or insurance premiums becoming delinquent during the year of redemption.

"Have had the same under consideration and recommend the same be amended as follows: In line 3 of section 2 strike out the word 'correctness' and insert in lieu thereof the word 'incorrectness.' In line 3 of section 2 strike out the word 'Validity' and insert in lieu thereof 'invalidity.' And when so amended recommend the same do pass. J. A. Sorley, Chairman."

On page 477, after line 14, insert the following, "Also, House Bill No. 15, A bill for an act entitled An act requiring railway companies to provide at stations or sidings, where an agent is not employed, prompt means for sealing loaded cars and receipting for their contents."

CORRECTIONS IN VOLUME 2, WRITTEN JOURNAL.

Line 14, page 12, change "266" to "268" and correct title to correspond therewith.

On page 20, line 9, after letter "M." insert words "after recess."

On page 36, strike out lines 4, 5, 6, and all of line 7 up to word "forty."

On page 45, line 6, after word "following" insert word "majority."

On page 58, line 34, after word "of" insert "Bohnsack" and correct "Bohnchard" to "Blanchard." In line 35 correct spelling of word "Garfield."

On page 60, strike out last line of page.

On page 61 strike out lines 1 and 2 and line 3 down to word "Mr."

On page 70, after word "clause" insert the following, "And when so amended recommend the same do pass."

On page 74, line 4, change figures "126" to "129."

On page 82 correct title of House Bill No. 317.

On page 90, line 29, change figures "200" to "290."

On page 93, line 10, change word "House" to "Senate" and correct title of bill to correspond therewith.

On page 100, last line, complete title of Senate Bill No. 118.

On page 103, line 32, after word "act" insert "which motion prevailed."

On page 114, line 25, change figures "114" to "14."

On page 123, line 13, correct title of Senate Bill No. 64.

On page 126, line 25, change word "adopted" to "lost."

On page 131, line 18, after name "Purdon" insert "Putnam."

On page 131, line 27, after word "Traill" insert "Shirley." Same line strike out "Walker" from among names of those absent and not voting.

On page 133, line 29, after figure "17," insert "present and not voting. 2."

On page 137, line 8, strike out words "those who voted in the negative were" and insert "absent and not voting."

On page 137, line 12, strike out words "absent and not voting" and insert "those who voted in the negative were:"

On page 144, line 8, change figures "84" to "83", also figures "5" to "6."

On page 163, line 9, change figures "320" to "322" and correct title to correspond therewith.

On page 179, line 34, after word "the" insert the word "vote."

On page 186, line 30, insert after word "pass" "Also, House Bill No. 289, A bill for an act to amend section 4466 of the Revised Codes of North Dakota of 1905. And recommend that the bill be indefinitely postponed."

On page 189, line 5, change word "return" to "transmit."

On page 195, line 25, after name "Cunningham" insert "Dean."

On page 195, line 25, strike out names "Dibley" and "Duncan."

On page 195, line 25, strike out name "Evans."

On page 195, line 26, strike out names "Gibbens, Grant, Hanawalt and Hanson."

On page 195, strike out all of line 27.

On page 195, line 28, strike out word "Pembina."

On page 195, line 29, strike out words "Barnes in Ransom" also name "Law" in same line.

On page 195, line 30, strike out name "Midgarden."

On page 195, line 30, strike out all of line after name "Mockler."

On page 195, strike out all of line 31.

On page 195, line 32, strike out name "Putnam," also "Rose of Dickey" in same line.

On page 195, line 33, strike out names "Sinclair" and "Stevens."

On page 195, line 34, strike out names "Stevens" and "Swenseid."

On page 195, line 35, strike out names "Treat" "Tufte" "White."

On page 195, line 36, strike out "Mr. Speaker."

On page 195, strike out all of line 36 after the word "Speaker" also lines 37 and 38, same page.

On page 195, line 40, after name "Collins," insert "Connolly" and "Evans."

On page 195, line 40, strike out "Jones of Ransom."

On page 195, line 41, strike out words "Sorlie of Traill."

On page 195, after last word in line 41, insert the following, "Messrs. Shannafelt and Shirley being excused. Mr. Putnam passed. So the bill passed and the title was agreed to."

At the end of page 195 insert all of page 860 of the printed journal.
On page 200, line 37, after name "Rose" insert "of Dickey."

On page 208, line 6, correct title of Senate Bill No. 108.

On page 208, line 8, after word "Jamestown" insert the following,
Also, Senate Bill No. 133, A bill for an act to provide an appropriation
for the current contingent expenses of the State Hospital for the Insane
at Jamestown."

On page 238, line 11, after word "adopted" insert "The committee on
enrollment made the following report: Your committee on enrollment
have examined."

On page 239, line 4, change word "engrossed" to "enrolled."

On page 249, line 14, change second figure "4" to "9."

On page 283, line 13, after word "secretary" insert the following,
"Mr. Sorley of Grand Forks moved that Senate Bill No. 109 be placed
on its third reading and final passage. Which motion prevailed."

On page 304, line 28, change word "Senate" to "House."

On page 356, line 25, change figures "239" to "339" and correct title to
correspond therewith.

On page 359, line 32, change word "transmit" to "return."

On page 378, line 3, after word "cases" insert the following, "Senate
Bill No. 152, A bill for an act to provide for the safe keeping of
documents and bonds required to be deposited in the office of the county
auditor. Also Senate Bill No. 134, A bill for an act establishing and
naming a state flower for the state of North Dakota."

On page 388, line 11, after word "county" insert the following, "Also
Senate Bill No. 42, A bill for an act to regulate the consolidation and
re-insurance of domestic insurance companies transacting business of
life, accident or health insurance. Also, Senate Bill No. 226, A bill
for an act for paroling inmates of the reform school. Also, Senate Bill
No. 160, A bill for an act to amend section 182 of the Revised Codes
of 1905. Also, Senate Bill No. 199, A bill for an act entitled An act to
provide for organizing counties from the unorganized territory in the
state. Also, Senate Bill No. 162, A bill for an act to amend section
894 of the Revised Codes of 1905, relating to education."

On page 422, line 10, change figures "325" to "335."

On page 439, line 26, change word "engrossed" to "enrolled."

On page 441, line 28, change word "engrossed" to "enrolled."

On page 443, line 40, after word "your" insert "select."

On page 468, line 8, after word "also" insert "House Bill No. 274, A
bill for an act for the organization of villages, towns or cities, in territory
embracing more than one county."

On page 487, line 18, change word "passed" to "lost."

On page 487, line 21, change the word "passed" to "lost."

CORRECTIONS IN VOLUME 3, WRITTEN JOURNAL.

On page 32, after line 19, insert "Also Senate Bill No. 292, A bill for
an act creating and defining the Tenth Judicial District within the state

of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district."

On page 62, at end of line 19, add the word "state."

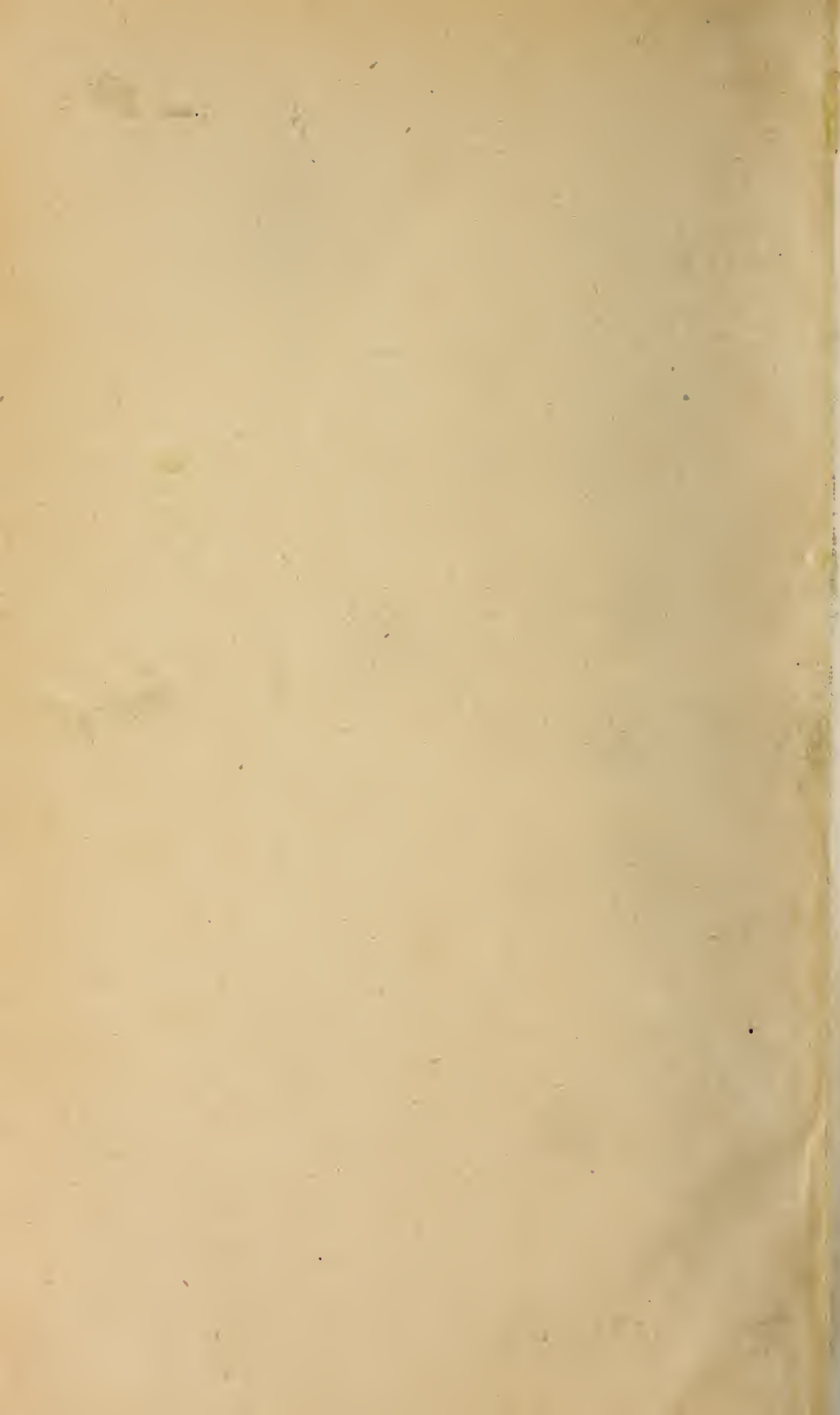
On page 79, line 2, after the name "Shirley" insert "Tuft."

On page 129, after the word "prevailed" on the third line from the bottom, insert "Mr. Sorley of Grand Forks moved to recall Senate Bill No. 307 from the Senate. Which motion prevailed."

On page 134, line 7, change figures "228" to "288."

Respectfully submitted,

P. D. NORTON,
W. D. AUSTIN,
O. J. QUAMME,
Special committee.





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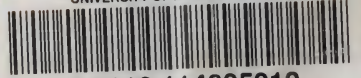
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